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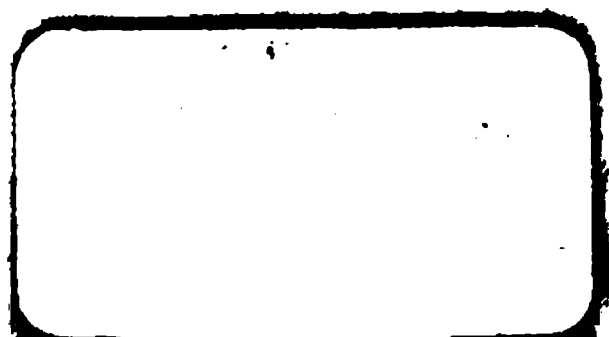
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# JOURNAL

OF THE

## SENATE,

OF THE

## COMMONWEALTH

OF

## PENNSYLVANIA,

11

WHICH COMMENCED AT LANCASTER, THE SIXTH DAY OF  
DECEMBER, IN THE YEAR OF OUR LORD ONE THOU-  
SAND EIGHT HUNDRED AND EIGHT, AND OF THE  
INDEPENDENCE OF THE UNITED STATES OF  
AMERICA THE THIRTY-THIRD.

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VOLUME XIX.

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LANCASTER,

PRINTED BY WM. DICKSON, NORTH QUEENSTREET.

1808.

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# JOURNAL

OF THE

SENATE,

OF THE

*Commonwealth of Pennsylvania.*



Tuesday, December 6, 1808.

AGREEABLY to the Constitution, the Senate convened.

Twenty-five Members present.

On motion,

The Returns of Election, to supply the places of those Members whose time had expired, and of the Election of Members agreeably to the Act providing for the Increase of Representatives in the Senate, under the late Census, were read; by which it appeared, that the following named Persons were returned, as duly elected at the late General Election, *to wit*:

By the District composed of the City and County of Philadelphia.	}	MICHAEL BRIGHT.
By the District composed of the County of Bucks.		WILLIAM ERWIN.
By the District composed of the Counties of Chester and Delaware.	}	JONAS PRESTON.

By the District composed of } CHRISTOPHER MAYER,  
the County of Lancaster.

By the District composed of } NATHAN PALMER.  
the Counties of Northum-  
berland and Luzerne.

By the District composed of } EZRA DOTY.  
the Counties of Mifflin  
and Huntingdon.

By the District composed of } JOHN BURROWS.  
the Counties of Lyco-  
ming, Centre, Clearfield,  
M'Kean, Tioga, & Potter.

By the District composed of } ISAAC WEAVER,  
the Counties of Greene } JAMES STEVENSON.  
and Washington.

By the District composed of } ABNER LACOCK.  
the Counties of Alleghen-  
ny, Beaver, and Butler.

By the District composed of } GABRIEL HIESTER,  
the County of Berks. } JOHN S. HIESTER,

But the Judges of the District of Orwigsburg, in the said County of Berks, had not forwarded their Returns in time, as prescribed by Law for making up the General Returns; and the Returns of the said District of Orwigsburg were afterwards made up, and transmitted to the Office of the Prothonotary of the said County, and thence to the Office of the Secretary of the Commonwealth; by which it appears that Daniel Udree has a greater number of Votes than John S. Hiester.

Mr. Lane, late Speaker, informed the Senate, that, in the Recess of the Legislature, he had received a Letter from James Martin, resigning his Seat as one of the Representatives in the Senate, from the District composed of the Counties of Allegheny, Beaver, and Butler; and that he had, thereupon, issued his Writs of Election, directing the Sheriffs of the several Counties, composing the said District, to hold Elections to supply said Vacancy.

The Returns of the Election, to supply the place of James Martin, were read; by which it appeared that Nathaniel Irish was duly chosen.

On motion,

The Senate proceeded to the Election of Speaker (the Clerks having been first appointed Tellers) and, upon counting the Votes, it appeared, that Presly Car Lane had 24 Votes, and Isaac Weaver 1 Vote; and that Presly Car Lane was duly elected.

On motion,

Mr. Brady administered, agreeably to Law, the usual Oaths of Office to the Speaker.

Whereupon,

The requisite Qualifications were administered, by the Speaker, to the following Members, *to wit*:

MICHAEL BRIGHT,	ABNER LACOCK,
JOHN BURROWS,	CHRISTOPHER MAYER,
EZRA DOTY,	NATHAN PALMER,
WILLIAM ERWIN,	JAMES STEVENSON,
GABRIEL HIESTER,	ISAAC WEAVER.

On motion of Mr. Roberts and Mr. Wayne,

The Returns of the Election, for the District composed of the County of Berks, were again read, and referred to Mr. Roberts, Mr. Weaver, and Mr. Mitchell, to consider and report thereon, so far as respects the Seat of Daniel Udree.

Adjourned, till 11 o'clock tomorrow morning.



Wednesday, December 7, 1808.

Mr. Roberts, from the Committee to whom was yesterday referred the Returns of Election, for the District composed of the County of Berks, so far as the same respects the Seat of Daniel Udree, made Report, which was read as follows, *to wit*:

That it appears to the Committee, from the Papers referred, that Judges from all the Districts composing the Senatorial District of said County, except from one District, met at the place and on the day appointed by Law for counting up the Votes; when it appeared, that John S. Hiester had 2944 Votes, and Daniel Udree had 2899 Votes.

But that, on the day following, a Return was made from the other District; when it appeared, that, in

said single District, John S. Hiestler had 242 Votes, and Daniel Udree had 324 Votes. These separate Returns, when added, give to John S. Hiestler 3186 Votes, and to Daniel Udree 3223 Votes; making in the whole Senatorial District, composed of the County of Berks, a majority in favor of Daniel Udree of 37 Votes.

There has no Evidence been before the Committee, of Fraud committed or designed. The only Defect which has appeared, is that already stated; the want of Attention in the Return-judges of a single District, which has brought the Papers, in their present informal manner, before the Senate. This Defect, the Committee have no hesitation in believing, the Senate will not permit to vitiate a fair Election; they therefore submit the following Resolution:

*Resolved*, That Daniel Udree, having had a majority of Votes for Senator, in the Senatorial District composed of the County of Berks, be admitted to a Seat in the Senate.

Ordered to lie upon the Table.

A Committee of the House of Representatives, being introduced, informed that the House of Representatives is duly organized, and ready to proceed to Business.

On motion,

Mr. Mitchell and Mr. Lacock were appointed a Committee, to inform the House of Representatives that Senate have organized, and are ready to proceed to Business.

And, after some time,

Mr. Mitchell reported, that the Committee had performed that Service.

Jonas Preston, the Representative in Senate from the District composed of the Counties of Delaware and Chester, appeared and took his Seat, the usual Affirmations having first been taken and subscribed by him.

On motion,

Mr. Laird, Mr. Heston, and Mr. Miller were appointed a Committee, to join a Committee of the House of Representatives, to inform the Governor

that the General Assembly is duly organized, and to know at what time the Governor will make his Communications.

*Ordered*, That the Clerk inform the House of Representatives, accordingly.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read as follows, *to wit*:

*“ In the House of Representatives.*

*December 7, 1808.*

*“ Resolved*, That a Committee be appointed, to join a Committee of the Senate to wait upon the Governor, and inform him that the General Assembly are duly organized, and ready to receive his Communications.

*“ And ordered*, That Messrs. Darlington and M<sup>r</sup>. Sherry be a Committee for that purpose.”

After some time,

Mr. Laird reported, that the Committee had performed that Service; and that the Governor informed the Committee he would make his Communications to the General Assembly at 12 o'clock, at Noon, tomorrow, in the Chamber of the House of Representatives.

On motion of Mr. Roberts and Mr. Weaver,

The Report of the Committee, on the subject of the Election of Daniel Udree, was again read, considered, and the Resolution attached thereto adopted.

Thereupon,

Mr. Udree appeared, and, after the requisite Oaths being administered to him, took his Seat.

The Secretary of the Commonwealth presented a Message from the Governor, which was read as follows, *to wit*:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

In pursuance of the 4th Section of an Act of the General Assembly, of the Commonwealth of Pennsylvania, approved the 2d day of February, 1802, entitled, *“ An Act to direct the Manner, Time, and Places of holding Elections for Electors of a President and Vice-*

*president of the United States,"* it becomes my Duty to inform the Legislature, that the following Gentlemen have given Notice to me, that they are at the Seat of Government, and ready to perform the Duties of Electors of President and Vice-president of the United States, *viz.* Charles Thomson, Thomas Leiper, Michael Leib, Joseph Engle, William Rodman, Archibald Darrah, Jacob Weygandt, Joseph Lefever, Gabriel Hiefter, junior, George Hartman, Adamson Tannehill. James Cowden, William Wilson, Robert Giffen, David Fullerton, Jacob Hostetter, Peter Kimmell, and Joseph Huston; by which it appears, that William Montgomery and John M'Dowell, Esqrs. two of the Persons chosen at the late Election, to serve as Electors, are absent from the Seat of Government, owing (as I have been informed) to bodily Indisposition.

THOMAS M'KEAN.

*Lancaster, Dec. 6, 1800.*

On motion,

Mr. Roberts was appointed Teller, to officiate, on the part of the Senate, at the Election of Electors, to be held this day, agreeably to Law, to supply the places of John M'Dowell and William Montgomery.

A Committee of the House of Representatives, being introduced, informed the Senate, that the Members of that House are ready to receive the Members of the Senate in their Chamber, to proceed to the Election of Electors, to supply the places of John M'Dowell and William Montgomery, who have neglected to attend at the Seat of Government, agreeably to Law.

Whereupon,

On motion of Mr. Wayne and Mr. Roberts,

The Senate proceeded to the House of Representatives, in order to attend, in Joint Meeting, the said Election.

After some time,

The Senate returned to their Chamber.

Mr. Roberts, Teller, on the part of the Senate, at the Election of Electors, made Report, which was read as follows, *to wit:*



That, at a Meeting of the Members of the Senate and the Members of the House of Representatives, held this day in the Chamber of the latter, for the purpose of choosing two Electors, to supply the places of John M'Dowell and William Montgomery, it appeared, upon counting the Votes, that James Stevenson and James Lowrey were duly appointed.

The following is a Statement of the Election :

Messrs. Lane (Speaker) Blocher, Brady, Bright, Burrows, Doty, Gress, Helton, Hiestler, Laird, Lattimore, Lacock, Mayer, M'Arthur, Mitchell, Palmer, Rahm, Rankin, Roberts, Sommer, Udree, and Weaver, of the Senate ; and

Messrs. Albright, Banks, Brown, Bucher, Bull, Colmery, Dale, Davis, Dechart, Dingman, Dyfert, Engle, F. Evans, Gordon, Graffius, Griffin, Gros, Hanna, Herrington, Humphreys, Hyneman, Jordan, Lawrance, Leib, Machan, Maclay, M'Call, M'Clure, Abel M'Farland, James M'Farland, M'Nair, Mechling, Mitchell, Montgomery, Moore, Murray, Nace, Neuhard, O'Brien, Odenheimer, Ogle, Orr, Patterson, Pearson, Pepfer, Phillips, Piper, Ralston, Rankin, Rhoads, Rupert, Satterlee, Schneider, Shearer, Sheetz, Shultz, Sloan, Isaac Smith, Robert Smith, Spangler, Starne, Starrett, Christian Tarr, Gasper Tarr, Thompson, Todd, Trevor, Wallace, Weber, Weifs, Wilson, Weygandt, and Boileau (Speaker) of the House of Representatives ; voted for James Stevenson and James Lowrey.

Messrs. Campbell, Erwin, Miller, Preston, Slaymaker, and Wayne, of the Senate ; and

Messrs. Bailey, Bethel, Darlington, Dorrance, G. Evans, J. Evans, Funk, Gettys, Gisch, Hulme, Kelton, Kimmell, Maxwell, M'Sherry, Miner, Ramsey, C. Smith, and J. Smith, of the House of Representatives, voted for William Kirkpatrick and Adam Reigart, Jun.

Mr. Stevenson, of the Senate, voted for James Lowrey and Robert Machan.

Mr. Lowrey, of the House of Representatives, voted for James Stevenson and Edward Crouch.

For JAME STEVENSON,	96 Votes.
JAMES LOWREY,	96

For WILLIAM KIRKPATRICK,	24 Votes.
ADAM REIGART, Jun.	24
ROBERT MACHAN,	1
EDWARD CROUCH,	1

On motion,

Mr. Wayne and Mr. Sommer were appointed a Committee, to join a Committee of the House of Representatives, to wait upon the Governor with a Certificate of the said Election.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read as follows, *to wit*:

*“ In the House of Representatives.*

*December 7, 1808.*

*“ Resolved*, That a Committee be appointed, to join a Committee of the Senate, to inform the Governor that the Legislature have elected James Lowrey, of the County of Cumberland, and James Stevenson, of the County of Washington, to supply the Vacancies occasioned by the absence of William Montgomery, of the County of Northumberland, and John M'Dowell, of the County of Washington, Electors of President and Vice-president of the United States.

*“ And ordered*, That Messrs. Ogle and Gettys be a Committee for that purpose.”

Mr. Wayne, from the Committee appointed to wait on the Governor, and inform him of the Election of James Lowrey and James Stevenson, reported that the Committee had performed that Service.

Adjourned, till 9 o'clock tomorrow morning.



Thursday, December 8, 1808.

Mr. Roberts presented the Petition of William Wilson, praying to be reappointed Sergeant-at-arms; and the same was read, and

Laid upon the Table.

Mr. Roberts also presented the Petition of John Groves, praying to be appointed Doorkeeper; which was read, and

Laid upon the Table.

Mr. Slaymaker presented the Petition of Adam Hart, praying to be reappointed Doorkeeper; which was read, and

Laid upon the Table.

Mr. Mayer presented the Petition of Peter Holback, praying to be appointed Doorkeeper; which was read, and

Laid upon the Table.

The Speaker laid before the Senate two Letters from the Secretary of the Commonwealth, one of which informing, that he had transmitted to the House of Representatives "fundry Depositions and Documents, in the case of Ebenezer Magoffin, Esquire, a Justice of the Peace in and for the County of Mercer," agreeably to the Act respecting Complaints against Justices of the Peace. The other Letter from the Secretary contained the Proposals made by certain Printers, for printing the Journals and Bills of the Senate; which were read, and

Ordered to lie upon the Table.

On motion, and by special order,

The Letter and Proposals of the Printers were again read, and referred to Mr. Weaver, Mr. Wayne, Mr. Miller, Mr. Roberts, and Mr. Rankin, to consider and report thereon.

The Speaker also laid before the Senate a Letter, signed Frederick and Jacob Stœver, proposing to print the Journal of the Senate, in the German Language, at 11 Dolls. 50 Cents per Sheet; which was read, and

Laid upon the Table.

On motion, and by special order,

The said Letter was again read, and referred to the Committee to whom the Proposals for the Printing-work of the Senate were referred.

On motion of Mr. Mitchell and Mr. Roberts,

The following Resolution was twice read, considered, and adopted, *to wit*:

*Resolved*, That each Member and each Clerk of the Senate be furnished, during the present Session, with

two daily Newspapers, or as many weekly Papers as shall not exceed the Price of two daily ones.

On motion,

Mr. Wayne, Mr. Heston, and Mr. Dorsey were appointed a Committee, to examine and report what Laws will expire, previously to the Meeting of the next General Assembly.

On motion,

Mr. Weaver, Mr. Lattimore, and Mr. Laird were appointed a Committee, to examine and report such parts of the Unfinished Business, of last Session, as may appear necessary to bring forward and act upon, during the present Session.

On motion,

The Election of Sergeant-at-arms and Doorkeeper was made the order of the day for Saturday next.

On motion,

Mr. Laird, Mr. Miller, Mr. Brady, Mr. Erwin, and Mr. Rahm were appointed a Committee, to join a Committee of the House of Representatives, to compare Bills and present them to the Governor for his Approbation.

On motion,

Mr. Dorsey, Mr. Sommer, Mr. Lacock, Mr. Preston, and Mr. Hiefter were appointed a Committee of Accounts.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read as follows, *to wit*:

*“ In the House of Representatives.*

*Dec. 8, 1808.*

*“ Resolved,* That a Committee be appointed, to introduce the Speaker and Members of the Senate into the Chamber of the House of Representatives, at the appointed time, and to introduce the Governor, for the purpose of making his Communications to the Legislature.

*“ And ordered,* That Messrs. Ogle and C. Smith be the Committee for that purpose.”

After some time,

Mr. Ogle and Mr. C. Smith, the Committee mentioned in the foregoing, being introduced, informed

the Senate, "that the Chamber of the House of Representatives is now ready to receive the Members of the Senate."

Whereupon,

On motion of Mr. Wayne and Mr. Sommer,

The Senate proceeded to the Chamber of the House of Representatives.

And, after some time,

Returned to their own Chamber.

Thereupon,

The Speaker informed the Senate, that, after the Governor had finished his Address to the General Assembly, he delivered into the hands of the Speaker a Copy of the same; which was read as follows, *to wit:*

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

THE existing Crisis in public Affairs will naturally engage the attention of the Members of the Union; and particularly, I trust, of Pennsylvania. The Communications, which the President has recently made to Congress, disclose, in a clear and comprehensive Review, the Origin and Progress of our Controversy with the belligerent Powers. And should we, after all, be compelled to surrender the Blessing and the Hope of Peace, we have certainly the Consolation to see it demonstrated to the world, that neither the Guilt of Aggression, nor the Folly of Ambition, can be fairly imputed to the Measures of our Government.

Impartial, respectful, and conciliatory, towards other Nations, the Federal Administration, with becoming Firmness and Dignity, has sought in return Atonement for acknowledged Injuries, and Security for unquestionable Rights. In the Result, however, an Appeal to the Justice (nay, to the Interest) of those Nations, has been received with Indifference, or rejected with Derision: Truth and Reason have been opposed, in vain, to Pride and Power; and every candid Mind at last perceives, that the Independence of America must be maintained (as it was achieved) by the active Patriotism and Valor of her Sons.

If any thing were wanting, to evince the Wisdom of the Course which Congress has pursued, at the pe-

rious Period, the Safety given to our commercial Capital, with all its Incidents (notwithstanding the probable Fate of the Negotiations with foreign Powers) must, I think, remove every Doubt. It is true, that, by the Operation of the Embargo, the Spirit of maritime Enterprize has been restrained; the Profits of Trade are for awhile surrendered; the Price of some of the Staples of the United States has been reduced; and the Occupations of particular Classes of Citizens have been partially interrupted.

But these Inconveniencies are not so great, as the Loss of private Property, which lawless Captures and arbitrary Confiscations would inevitably produce; and they are unworthy of a moment's Calculation, when placed in Competition; with the Loss of national Independence, to be incurred by a tame Submission to the Orders and Decrees of the Sovereigns of Europe. Nor are these (you will readily perceive) the only Considerations which accommodate the Suspension of foreign Commerce to the Interest, as well as to the Honor, of our Country.

Upon a full View of the national Situation, its present Inconveniencies, and its probable Consequences; the patriotic Disposition, which has been manifested by our immediate Constituents, is entitled to universal Respect and Applause. If it is true, that Symptoms of Disaffection to the Union, of Opposition to the Laws, and of Animosity to the chosen Rulers of the People, have elsewhere appeared; Pennsylvania, we know, directing her Energies to other Objects, has borne the Suspension of her Commerce without Murmur or Complaint. Neither the Restraints of the Embargo, nor the Feuds of Party, nor the Allurements private Interest, nor the Menaces of War, have impaired, in Feeling or in Action, her Obedience to the Constitution and Laws; her Pride of Character, or her plighted Faith to the Government of the Union.

An Example, so honorable and so conspicuous, cannot fail to be beneficial. Extending beyond the Limits of Pennsylvania, it will animate and confirm the Virtue of her Sister States. And, for my own part, I feel the highest Gratification, that, among the latest Acts



of a protracted public Life, after a Lapse of more than 30 years, and in Seasons of extreme Difficulty and Danger; I can again unite with my Countrymen in “the mutual Pledge of our Lives, our Fortunes, and our sacred Honor,” to support the Declaration, “that these United States are, and of Right ought to be, FREE AND INDEPENDENT.”

But, Gentlemen, in order to give efficient Support to such a Declaration, every State—nay, every Citizen of every State—must rally round the Standard of the Union; prepared, in Numbers, in Discipline, and in Arms, as well as in Resolution, to encounter and repel every hostile Assailant. Hence the Condition of the Militia will claim and receive your earliest Attention. The Muster-roll exhibits a Force, formidable indeed in its Amount, and exemplary for the Patriotism and Bravery of those who compose it: But, to render the Militia an adequate Substitute, or even a useful Auxiliary, for a regular Army, a new System of Organization, better directed to the purposes of Discipline, Subordination, and Equipment, is anxiously expected from the Wisdom of the Legislature.

Nor is it in Military Preparation alone, that our Zeal to support the Declaration of Independence ought *now* to be displayed. The Theory of Independence is often distinct from its practical Enjoyment; and the Republican Institutions of our Country will be vain and illusory, unless the Morals and the Manners of the People shall be moulded in Conformity to them. To be truly independent, we must be able to provide, at least, for our own Wants; we must explore and combine the physical Properties of our Climate and our Soil, our Woods and our Waters: And, to be truly Republican, we must maintain a pure and vigilant Administration of Justice; we must multiply the Opportunities of acquiring useful Knowledge; and we must endeavor (mutually endeavor) to extinguish or to allay the Spirit of Party.

Upon the various Subjects, connected with these important Considerations, the Records of your Predecessors will present an ample Scope for Deliberation; and I am persuaded, that, in the Encouragement given

to the Improvement of Roads, inland Navigation, and other public Works; in the Patronage conferred on Seminaries for educating the Poor; and in the necessary Augmentation of the Number of the Judges, as well as in the Reorganization of the Courts, to answer the Calls of Justice; you will invariably consult and pursue the Welfare and the Honor of the State. In a Career so laudable, all party Animosity will be subdued; all personal Asperity will be assuaged; and the diffusive Influence of such Liberality and Forbearance will not fail to produce, among our Constituents, that Unity and Harmony of Action, without which we cannot long hope to prosper, and with which we shall never have occasion to fear.

*Gentlemen of the House of Representatives,*

By the annual Reports from the Department of Accounts, you will perceive, that the permanent Revenues of the Commonwealth are sufficient to defray the ordinary Expences of Government; and that to those Revenues an Addition has been made, since your last Session, by a Subscription for 200 Shares of the Stock of the Bank of Philadelphia, at Par; the Market-price being so advanced, as to exclude the Alternative of a Purchase.

In the Application of the public Treasure, the Legislature will endeavor, I am confident, to unite the Duty of Economy, with the Attainments of a liberal and enlightened Policy; particularly as our Constituents have ever evinced an eager Disposition to contribute, whatever may be wanting for the important Objects to which I have alluded.

Permit me to add, that, in revising the Journals, it will be found, that a legislative Pledge remains unsatisfied. To the Honor of the late Governor Mifflin; whose patriotic Life, in War and in Peace, in the Field and in the Cabinet, had been devoted to the Service of his Country, a public Funeral and a Monument were decreed, in the year 1800: But, by an unfortunate Omission, the Resolution of the two Houses was not presented for the Executive Approbation (which would cordially have been given); and no Appropriation consequently exists, to complete

this last Testimonial of the Affection and Respect of Pennsylvania, for one of her distinguished Sons.

Another Native of our State, the gallant Wayne; who, to the glorious Exploits of his revolutionary Career, added, in later times, a signal Victory, over a Combination of Indian Forces, hitherto probably unequalled, lies buried in a distant Grave, without a single Trophy to designate the Spot. His Deeds must amply consecrate his Memory; but something will still be due, to evince the Sense which his Country entertains of his Virtue and his Valor.

*Gentlemen of the Senate, and*

*Gentlemen of the House of Representatives,*

In my last personal Communication to the Legislature, probably in the last important public Act of my Life, I shall be indulged, I hope, in claiming some Credit, for Feelings corresponding with the Solemnity of the Occasion. It has been my Lot to witness the Progress of our Country, from a colonial to a national Character, through the Ordeal of many Trials, in Peace and in War. It has been my Happiness to enjoy the Favor and the Confidence of our Country, in the most arduous as well as in the most auspicious Stages of her political Career. Thus attached by every Tie of Honor and Gratitude, by all the Motives of social Interest and Affection, I contemplate the future Destinies of our Country with a proud, but an anxious Expectation. My Day of Exertion (of feeble Exertion at the best) is past: But, for our Fellow-citizens, and for their Representatives, in every Department of the Government, I can only cease to implore the Blessings of Providence, when I cease to exist.

THOMAS M'KEAN.

*Lancaster, Dec. 8, 1808.*

On motion of Mr. Weaver and Mr. Wayne,  
*Ordered*, That the usual number of Copies of the Governor's Address be printed, for the use of the Members.

On motion of Mr. Roberts and Mr. Mitchel,  
*Agreed*, That Senate will, until otherwise directed, meet at 11 o'clock in the morning of each day.

Adjourned, till 11 o'clock tomorrow morning.

Friday, December 9, 1808.

Mr. Weaver, from the Committee to whom were yesterday referred the Proposals of certain Printers, for the Printing-work of the Senate; and also the Letter of Frederick and Jacob Stœver, offering to print the Journal of the Senate, in the German Language; made Report; which was read as follows, *to wit*:

*That, for Printing the Journal, in the English Language,*  
Wm. Dickson asks \$ 28 per Sheet, for 1350 Copies.

John Burnside 15 per Sheet, for 600 Copies,  
10 per do. for 600 do. additional.

William Greer 23 per Sheet, for 1200 Copies.

J. R. Matthews 16 per Sheet, for 900 Copies,  
5 per do. for 300 do. extra.

W. C. Smyth 21 per Sheet, for 1200 Copies,  
30 Figure Work.

*For Printing the Journal, in the German Language,*  
Joseph Ehrenfried asks \$ 16 per Sheet, for Plain Work,  
20 do. for Figure Work.

Benjamin Mayer 14 per Sheet, including Figure  
Work.

John Ritter & Co. 14 per do. do.

Henry Grimler 12 per do.

Fred. & J. Stœver 11 50 do.

*For Printing the Bills,*

John Burnside asks for 1 Page \$ 1 25

2 Pages 1 50

3 Pages 2 75

4 Pages 3 50

William Greer

1 Page 1

2 Pages 1 50

3 Pages 2 75

4 Pages 3 25

W. C. Smyth

1 Page 1 25

2 Pages 2

3 Pages 3

4 Pages 3 25

J. R. Matthews

1 Page 1

2 Pages 1 50

3 Pages 2 50

4 Pages 3

On motion of Mr. Lacock and Mr. Roberts,  
*Ordered*, That the usual number of Copies of the  
 said Report be printed, for the use of the Members.

The Secretary of the Commonwealth presented a  
 Message from the Governor, which was read as fol-  
 lows, *to wit* : .

*To the Senate and House of Representatives of the Com-  
 monwealth of Pennsylvania.*

GENTLEMEN,

The Secretary will deliver herewith, to the respective  
 Houses, Copies of the Reports, to me, from the several  
 Officers of the Accounting and Land Departments.

THOMAS M'KEAN.

*Lancaster, Dec. 9, 1808.*

The Reports accompanying the same were severally  
 read, *to wit* :

One from the Secretary of the Land-office, which  
 contains the following Information :

That the Returns, on which Patents have been issued,  
 remain unrecorded, from the 1st of May, 1775, to  
 March, 1781; from which, till April, 1794, they are  
 recorded. Thence, till January, 1800, they are un-  
 recorded: But, from January, 1800, till the present  
 time, they are recorded.

That the Applications on which Warrants have issued,  
 being of all others the most important to the Validity  
 of landed Titles, and which were neglected to be  
 recorded, from January, 1794, till the year 1800,  
 have been, in consequence of the extra Appropriations  
 for Clerkhire, duly entered.

That the current Business, *to wit* ; the Applications,  
 have been regularly recorded. The number of  
 Patents issued, since the last Report, 723; of Land-  
 warrants, 244. Amount of Fees, 4017 Dollars 98  
 Cents.

The Secretary of the Land-office then states the nature  
 and quantity of Business, which devolved upon him  
 under special Acts of the Legislature.

The Report of the Surveyor-general states, that, in  
 consequence of the Liberality of the Legislature, in  
 making competent Appropriations for Clerkhire, "the  
 Office is in a more perfect Situation, both as it respects

the Preservation of the Papers, and the ease and convenience of transacting the Business, than it has been at any former period."

The Report of the Receiver-general states, that the Sales and Confirmations of Titles to Land have exceedingly multiplied the Accounts in his Office; but that the unfinished Business, from May, 1788, to December, 1799, has been regularly brought up, and entered; that the several sets of Books, for current Business, are regularly kept up.

The Receiver-general closes his Report with "an Estimate of the probable Revenue to arise from unpatented Lands;" which he states as follows, *to wit* :

<i>Old Purchase.</i>		<i>Dollars.</i>
Warrants, from 1st-mo. 1737, to Dec. 1762,		1,085,850
1 Jan. 1763, to Aug. 1765,		17,320
Sept. 1765, to Sept. 1779,		114,420
Applications, 5 Aug. 1765, to 17 April,		
1770,		1,764,540
Warrants, 5 Aug. 1784, to 2 April, 1792,		137,820
3 April, 1792, to 22 Sept.		
1794,		89,270
23 Sept. 1794, to 1 Nov.		
1808,		19,496
		<hr/>
		3,228,716
<i>New Purchase.</i>		
Warrants, from 17 May, 1785, to March,		
1789,		26,600
1 March, 1789, to 2 April,		
1792,		350
3 April, 1792, to 1 Nov. {		31,605
1808, {		36,280
Office Fees, on 52,782 Tracts, at 89 each,		475,038
		<hr/>
		3,798,589

The Report of the Comptroller and Register-generals, exhibits a View of the Receipts and Expenditures, at the Treasury of the Commonwealth, during the last year, ending 31st of October; together with a Statement of various Descriptions and Amount of the Stock of the United States; and Shares owned by the



State in the Banks of Pennsylvania and Philadelphia, and several of the Turnpike Companies.

On motion of Mr. Rahm and Mr. Roberts,  
*Agreed*, That the Choice of Printers be the order of the day for Monday next.

On motion of Mr. Roberts and Mr. Preston,  
The Governor's Address was again read.

Whereupon,

*Resolved*, That the Address be referred to a Committee, to consider and report thereon.

*And ordered*, That Mr. Roberts, Mr. Doty, Mr. Preston, Mr. Mitchell, and Mr. Bright be the Committee.

The Speaker laid before the Senate, a Report from the Secretary of the Land-office; which was read as follows, *to wit*:

*Land-office of Pennsylvania, Dec. 7, 1808.*

GENTLEMEN,

In obedience to the 3d Section of the Act of the General Assembly, of the Commonwealth of Pennsylvania, entitled, "*An Act making Appropriations to defray certain Expences of Government*," passed the 28th day of March, 1808; I have the honor to lay before the Legislature, a Statement of the Business transacted by the Commissioners, appointed to carry into effect the Act of April 4, 1799; together with its several Supplements; relative to the Lands situate in the Fifteen Townships, in the County of Luzerne. The first above-recited Act, under which this Report is made, directs, that it shall be the Duty of the Secretary of the Land-office, and the Surveyor-general, to make Report, during the first week of the next Session of the Legislature, of the Situation of the Business; showing what has been done, what remains to be done, and what will be the probable Expence to the State.

To show "what has been done," under the several Laws passed on the Subject of the Luzerne Controversy, between the Pennsylvania Claimants and the Connecticut Settlers, I have ascertained, as correctly as was possible to do, from the Books and Papers filed in my Office, by the Commissioners, the following Statement of Facts:

No. of T'ps.	Names of Townships.	No. of Certificates.	Amount of Acres.		Remarks.
			Acres.	Perches.	
1	Wilkesbarre	213	14,412	120	
2	Newport	150	20,985	100	
3	Hanover	94	16,981	73	
4	Pittstown	152	17,407	52	
5	Exeter	81	24,675	48	
6	Northmoreland	77	17,240	125	
7	Providence	86	16,427	66	
8	Braintrim	70	17,004	131	
9	Springfield.	83	20,159	1	
10	Huntington	163	14,310	111	
11	Putnam	69	23,071	2	
12	Kingston	181	13,208	47	
13	Plymouth	308	16,482	116	
14	Claverack	30	22,740	11	
15	Salem	Not known.	12,647	95	} By the last Comm'rs.
	Ditto	8	996	69	

---

1785 268,751 47

The following Certificates, granted by the Commissioners to the Connecticut Settlers, have been exhibited at my Office, in order to obtain Patents thereon; and, Patents having been granted on them, the same remain on File in my Office:

No. of Certificates.		Acres.	Perches.
37	Wilkesbarre	1832	23
19	Salem	2645	152
20	Huntington	2811	151
6	Newport	774	106
13	Hanover	1915	86
38	Plymouth	2480	26
17	Kingston	1979	31
11	Pittstown	1171	99
5	Providence	1376	79
6	Exeter	2581	1
3	Northmoreland	332	132
8	Putnam	3144	33
1	Braintrim	209	108
2	Springfield	976	145
9	Claverack	1887	158
195		26,120	5

*Recapitulation.*

Number of Certificates issued.	Amount of Acres.
1785	268,751 47
Returned, 195	26,120 5

---

Certificates, 1590 out 242,631 42

The Commissioners, last appointed, state the following Titles, exhibited by the Connecticut Settlers, but not decided on, by them, for want of Evidence at the Close of the Commission, *to wit*:

29 Claims, amounting to 8130 Acres 23 Perches.

2 Claims, the quantity of Land not ascertained  
— or known.

31 Claims.

The foregoing Statement shows, that there are yet upwards of 242,631 Acres and 42 Perches, to be patented to the Connecticut Settlers, within the Fifteen Townships, in the County of Luzerne; for which Certificates have already been granted by the Commissioners.

I have, however, no Doubt, there is a much larger quantity than that, to be patented in those Townships: But, not being able to ascertain the precise number of Acres, for which Certificates have been issued, must request the Attention of the honorable House to the Report of the Surveyor-general, for the number of Acres of Land actually surveyed by the Commissioners, in Pursuance of the several Laws on the Subject.

That I might furnish the Legislature with all the Information, on this Subject, within my Reach to obtain, I applied to 2 of the late Commissioners, for an Estimate of the Expences it will yet put the State to, in order to bring the unfinished Business, in the Fifteen Townships, to a Close. A Copy of their Answer is herewith inclosed.

*Pennsylvania Certificates.*

The following List contains such Pennsylvania Certificates of Compensation, as were deposited in my Office, by the Commissioners, to be delivered to the several Owners, when called for: But the Payments thereon are suspended, for a time, by Caveats or contending Claims, until the Disputes can be judicially settled.

No.	In whose Right.	Acres.	Perches.	Valuation.
1	Robert White	322	102 8	201 41
2	Thomas Fleming	378	64	159 10
3	George Clymer	352	104	270 66
4	John Roddy	367	2	392 1
5	Benjamin Arnott	320	131	80 20
6	John Crawford	197	112	131 92½
7	Rudolph Hoope	120	144	140 22½
8	William Smith	303	108	303 42
9	Benjamin Bear	316	46	317 7
10	Adam Hubley	286	00	402 00
11	Henry Lebig	385	109	418 67
12	John Lebig	411	112	411 70
13	John Evans	369	149	231 23
14	Cunningham & Nesbitt	358	144	227 22
15	John Morton	299	56	223 33½
16	Amos Ogden	148	3	444 5
17	James Johnston	314	41	296 6½
18	James Lawson	453	00	200 75
19	Samuel Walker	464	123	147 44
20	John Vanderen	400	16	600 15
21	Thomas Grant	324	00	449 00
22	Proprietors	17,350	00	14,055 51*
23	Proprietors	8,350	00	5,202 76†
		32,495	126	25,305 90

## REMARKS.

These sums of Money, stated in the Column headed *Valuation*, are Principal, without the Interest. The Interest on each of these Sums is chargeable, from the 1st day of January, 1801, to the 1st day of April, 1806; the time limited, by Law, for the Interest to cease.

\* Sunbury Manor. This Sum appears to be the Balance unpaid.

† Stoke Manor. This Sum appears to be the Balance unpaid.

From the foregoing Statement, it appears, that there is yet a principal Sum of 25,305 Dollars and 90 Cents, payable out of the Treasury, on Certificates already issued to the Pennsylvania Claimants. This Sum, it is to be understood, is exclusive of the

Amount that has or may be awarded, to such of the Pennsylvania Claimants who have *refused* to release, under the Law of April 4, 1799, and its Supplements; and preferred bringing Actions, at Law, for Compensation, under the Provisions contained in the 9th Section of the supplementary Act, passed the 6th day of April, 1802.

Several Suits (as I am informed) are already instituted and now pending, against the Commonwealth, in Pursuance of that Section; and, no Doubt, more will be commenced, after their Determination. But, as none of the Laws on this Subject fix any time, within which this class of Claimants shall commence their Suits against the State; nor is there any way, through which it is practicable for me to ascertain the Extent of those Claims; it may readily be perceived, by the honorable Legislature, that no Period can be set for bringing this, already tedious Business, to a final close.

In offering, however, the foregoing Report to the Consideration of the honorable Legislature, I do it with considerable Diffidence; knowing, from the complicated and complex Situation of the Luzerne Business, that it is impossible to make out a Statement, free from Errors. I could wish it were in my power to do Justice to this Report, for the Satisfaction and Information of the Representatives of the People of Pennsylvania: But, imperfect as it may be, I now most cheerfully submit it to their Wisdom and Liberality; confidently hoping they will impute the cause of Error to a want of Information, and not to any motive or design to mislead or deceive their Judgments.

I have the honor to be,

Gentlemen,

With much Esteem and Respect,

Your most obedient Servant.

ANDREW ELLICOTT,

*Secretary of the Land-office.*

to the Law, the Land; would it not be cheaper to the Commonwealth, than to pay the Bills of Cost, which will accrue in every case; besides the Risk of having the Value of the Land rated higher, by the Jury, than by the Acts it would be rated? This is merely suggested, though not immediately connected with the Requisitions of your Letter.

The foregoing Report is respectfully submitted. And, if further Illustration should be required, our *A. Scott*, Esq. at Lancaster, will furnish it from the Books.

We are, respectfully,  
Gentlemen,

Your most obedient humble Servant.

JOHN M. TAYLOR.

*Philadelphia, Dec. 3, 1808.*

A. ELLICOTT,	} <i>Esquires.</i>
S. COCHRAN,	
T. MATLACK,	
J. M'KISSICK,	

On motion of Mr. Mitchell and Mr. Lacock,

The Senate proceeded, agreeably to Law, to the Nomination of Candidates to supply the place of Samuel Maclay, one of the Members representing this State in the Senate of the United States; whose time will expire with the 3d of March next.

Whereupon,

<i>Mr. Laird</i>	nominated	<i>Samuel Maclay.</i>
<i>Mr. Lacock</i>		<i>Isaac Weaver.</i>
<i>Mr. Udree</i>		<i>Michael Leib.</i>
<i>Mr. Roberts</i>		<i>P. C. Lane.</i>
<i>Mr. Mitchell</i>		<i>Abner Lacock.</i>
<i>Mr. Wayne</i>		<i>Joseph Hemphill.</i>
<i>Mr. Weaver</i>		<i>N. B. Boileau.</i>
<i>Mr. Heston</i>		<i>John D. Coxe.</i>
<i>Mr. Dorsey</i>		<i>William Jones.</i>
<i>Mr. Rankin</i>		<i>William Findlay (s. t.)</i>

Ordered, That Mr. Brady be the Teller, on the part of the Senate, at the Election of Senator on Tuesday next; and that the Clerk acquaint the House of Representatives accordingly.

Adjourned, till 11 o'clock tomorrow morning.

Saturday, December 10, 1808.

Mr. Wayne presented the Petition of Philip Graham, stating that he entered the Service of his Country at an early period, in what was usually called the Flying Camp; that, in 1777, he enlisted and joined the Regiment commanded by Col. Thomas Hartley; and was severely wounded at the Battle of Brandywine; the Effects of which, with the Infirmities of advanced Age, render him unable to procure a Living, by manual Labor: He therefore prays Relief. And the said Petition was read, and

Laid upon the Table.

Mr. M'Arthur presented the Petition of the Subscribers thereto, Inhabitants of the County of Crawford, stating that great Inconvenience has frequently arisen to the Petitioners, and others, from the want of a Bridge across Frenchcreek, near the Town of Meadville; that Persons having Business at Court have frequently been delayed, in consequence of the Difficulty of crossing the said Creek; and further, that, as the public Mail passes the same, a Bridge is the more necessary: The Petitioners therefore pray, that an Act may be passed, authorising the Governor to appoint Commissioners to receive Subscriptions, to the amount of 2000 Dollars; and after that sum is subscribed, to empower the Governor to incorporate the Subscribers, with the usual Powers, to enable them to effect their Object. And the said Petition was read, and

Laid upon the Table.

Mr. Roberts, from the Committee to whom was yesterday referred the Governor's Address, made Report, as follows, *to wit*:

That they have carefully considered the same, and find that the Attention of the Legislature is particularly directed to the following Subjects, *viz.*

1. The Militia-system.
2. A Provision for our own Wants, by giving Encouragement to Domestic Manufactures, and by exciting a Disposition in our Citizens to explore the physical Resources of our Country.

3. The Improvement of Roads, Inland Navigation, and other Public Works.

4. The Augmentation of the Number of Judges, and the Reorganization of the Courts, so as to answer the Calls of Justice.

5. An increased Patronage to Seminaries for educating the Poor.

Whereupon,

On motion of Mr. Roberts and Mr. Doty,

The said Report was again read, and the several Items thereof referred, as follows, *to wit* :

1 Item, to Mr. Mitchell, Mr. Lacock, Mr. Sommer, Mr. Borrows, Mr. Udree, Mr. Rahm, and Mr. Laird, to consider and report thereon.

2 Item, to Mr. Dorsey, Mr. Campbell, Mr. Grefs, Mr. Erwin, and Mr. Lattimore, to consider and report thereon.

3 Item, to Mr. Brady, Mr. Blocher, Mr. Palmer, Mr. Stevenson, and Mr. Miller, to consider and report thereon.

4 Item, to Mr. Wayne, Mr. Roberts, Mr. Heston, Mr. M'Arthur, and Mr. Weaver, to consider and report thereon.

5 Item, to Mr. Preston, Mr. Doty, and Mr. Lattimore, to consider and report thereon.

The Speaker laid before the Senate a Letter from William Findlay, State Treasurer, informing that he had delivered to the Clerk of the House of Representatives, the usual number of Copies of the Report on the State of the Treasury, for the last Year, agreeably to Law.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read as follows, *to wit* :

*“ In the House of Representatives.*

*Dec. 9, 1808.*

“ On motion of Mr. Montgomery seconded by Mr. Ogle,

“ *Ordered*, That Messrs. Montgomery, Weber, and Bull be a Committee, to join a Committee of the Senate to compare Bills, and present them to the Governor for his Approbation.”



The Speaker also laid before the Senate a Report from the Surveyor-general, which was read as follows, *to wit:*

*To the honorable the Speaker of the Senate, of the Commonwealth of Pennsylvania.*

SIR,

In conformity to the 3d Section of an Act, passed the 28th day of March last, which requires the Secretary of the Land-office and Surveyor-general to report "the Situation of the Business of the Luzerne Commission, showing what has been done, what remains to be done, and what will be the probable Expence to the State;" I have the Honor of communicating to the Legislature, that I have made out a Schedule of all the different Lots and Tracts of Land, returned to the Surveyor-general's Office, under the Direction of the said Commission, for the Connecticut Settlers; showing the Townships in which the Lands are situated; the Names of the Connecticut Claimants; the number of the Lots; the Quantity of Land contained in each Survey; and the Names of the Patentees, and time of patenting of the Lots on which Patents have issued. The Book containing the Schedule is deposited with the Clerk of the Senate, and contains all the Information which I am able officially to state to the Legislature, in pursuance of the Section above mentioned. I have not taken time to copy this Book. If the Legislature should think proper to direct its return, after it has served their purpose, it would be useful in the Office.

Accept, Sir, for yourself and the honorable the Senate, Assurances of my highest Respect.

SAMUEL COCHRAN.

*Surveyor-general's Office, Dec. 1808.*

On Motion of Mr. Lacock and Mr. Laird,

*Resolved*, That a Committee be appointed to inquire, and report to the Senate, what Alterations, if any, are necessary in the Laws for selecting and returning Jurors. And likewise the Propriety of allowing the Parties, in all Civil Suits, the privilege of peremptorily challenging a certain number of Jurors.

Ordered to lie upon the Table.

Agreeably to order,

The Senate proceeded to the Choice of Sergeant-at-arms, and Doorkeeper (the Clerks being first appointed Tellers); and, upon counting the Votes, it appeared that William Wilson was unanimously chosen Sergeant-at-arms, and Adam Hart, Doorkeeper; to whom the usual Oaths of Office were respectively administered.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read as follows, *to wit* :

*“ In the House of Representatives.*

*Dec. 10, 1808.*

“ On \* motion of Mr. Ogle, seconded by Mr. Gettys,

“ The House proceeded to the Nomination of Candidates, to supply the Vacancy which will occur on the 4th of March next, in the Representation of this State in the Senate of the United States, in consequence of the Expiration of the term for which the present Member, Samuel Maclay, was chosen.

“ Whereupon,

Mr. Miner nominated *Joseph Hemphill.*

Mr. Spangler, *Michael Leib.*

Mr. Gordon, *Nathaniel B. Boileau.*

Mr. C. Tarr, *General Wm. Reed.*

Mr. Mitchell, *Joseph Hart ( Bucks Co.)*

Mr. Todd, *William Findlay ( s. r.)*

Mr. F. Evans, *Samuel Maclay.*

Mr. Trevor, *Presly Car Lane.*

Mr. A. M'Farland, *Isaac Weaver.*

Mr. Starne, *Jacob Holgate.*

Mr. Piper, *Abner Lacock.*

Mr. Browne, *John Smith ( Fayette.)*

Mr. Hulme, *William Erwin ( Bucks.)*

Mr. Ogle, *Joseph Clay.*

“ And Mr. John Weber was appointed to officiate as Teller, at the Election on Tuesday next, on the part of this House.”

On motion of Mr. Weaver and Mr. Roberts,  
*Resolved*, That a Committee be appointed, to confer with a Committee of the House of Representatives, in

respect to the time, place, and manner of ascertaining and declaring the Election of Governor.

*Ordered*, That Mr. Weaver, Mr. Rankin, and Mr. Roberts be the Committee for that purpose.

And, That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Borrows and Mr. Weaver,

*Resolved*, That a Committee be appointed to inquire into the actual state of the Susquehanna Lottery, and make Report to the Senate, as soon as conveniently may be.

*Ordered*, That Mr. Borrows, Mr. Stevenson, and Mr. Mayer be the Committee for that purpose.

Adjourned, till 11 o'clock Monday morning.



Monday, December 12, 1808.

Moved by Mr. Borrows and Mr. Roberts,

*Resolved*, That the Committee appointed on the 10th Inst. to inquire into the actual state of the Susquehanna Lottery, be authorised to send for Persons and Papers.

*Ordered* to lie upon the Table.

The Clerk of the House of Representatives presented an Extract from the Journal of that House, which was read, as follows, *to wit* :

*“ In the House of Representatives.*

*Dec. 10, 1808.*

*“ On motion,*

*“ Ordered*, That Messrs. Leib, Lowry, and Sloan be a Committee, to confer with a Committee of the Senate, in respect to the time, place, and manner of ascertaining and proclaiming the Election of Governor.”

Agreeably to order,

The Senate proceeded to the Election of Printers (the Clerks being first appointed Tellers) and, upon counting the Votes, it appeared that William Dickson was duly chosen Printer of the Journal, in the English Language; John Ritter and Co. Printers of the Journal, in the German Language; and William Greer, Printer of the Bills.

*Ordered*, That the Clerk acquaint the Secretary of the Commonwealth thereof, that the requisite Sureties may be taken, for the faithful performance of the Printing-work of the Senate.

The Resolution, respecting the appointment of a Committee upon the Subject of Juries, read the 10th Instant, was again read.

Whereupon,

On motion of Mr. Wayne and Mr. Heston,

*Ordered*, That Wednesday next be assigned for the further consideration thereof.

Mr. Mitchell stated, in his place, that, by a Letter he had received from Samuel Maclay, Esquire, Member of the Senate of the United States, under Date of the 8th Instant, Mr. Maclay declined being considered a Candidate, at the ensuing Election of a Senator of the United States.

Whereupon,

Mr. Laird, who had nominated Mr. Maclay, with the Consent of the Senate, withdrew the Name of Samuel Maclay.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Roberts and Mr. Rahm,

*Agreed*, That Wednesday next be assigned for the choice of Clerk.

Adjourned, till 11 o'clock tomorrow morning.

—:O:~:O:—

Tuesday, December 13, 1808.

Mr. Irish, the Member returned by the District composed of the counties of Allegheny, Beaver, and Butler, to supply the place of James Martin, resigned, appeared, and, after the usual Oaths having been administered to him, took his seat.

The Clerk of the House of Representatives presented 3 several Extracts from the Journal of that House; and, for concurrence, a Resolution for the Distribution of certain Laws of the United States, which was read the first time.

The Extracts from the Journal of the House of Representatives were severally read, as follows, *to wit* :

*“ In the House of Representatives.*

*Dec. 12, 1808.*

“ Mr. F. Evans informed the House, that Samuel Maclay, who had been nominated as a Candidate to represent this State in the Senate of the United States, declined a Re-election; and he accordingly, on leave given, withdrew the Name of said Samuel Maclay, from the List of Candidates in nomination for said Office.”

*“ In the House of Representatives.*

*Dec. 13, 1808.*

“ Mr. Todd informed the House, that William Findlay declines being considered a Candidate, at the ensuing Election for a Senator of the United States; and he accordingly, on leave given, withdrew the Name of the said William Findlay, from the List of Candidates in nomination for said Office.”

*“ In the House of Representatives.*

*Dec. 13, 1808.*

“ On motion,

“ *Ordered*, That Messrs. Miner and Moore be a Committee, to introduce the Speaker and Members of Senate into the chamber of the House of Representatives, at 12 o'clock this day, in order to proceed to the Election of a Senator, to represent this State in the Senate of the United States.”

Mr. Weaver presented the Petitions of Nicholas Blake, Abijah M'Clean, Jeremiah Long, Gideon Long, and Francis Seaton, severally stating that they entered the service of their Country, in the Regiment commanded by Colonel Enos M'Kay; that they served upon the Frontiers, in opposing the ravages of the Indians, from August till December, 1776; when they were ordered to Kittaning, and soon after to Carlisle; suffering extreme Hardships, from the inclemency of the season, want of a sufficiency of clothing and food. That, when at Carlisle, their Commander, under the direction of General Armstrong, paraded his men, and informed them that Congress, knowing their services and sufferings, determined, if they

continued faithful, to allow them, in place of their loss by depreciation, and their want of clothing, a full suit of clothes extra, yearly ; and, at the Expiration of their time, a valuable donation of Land. That, as the Petitioners do not conceive themselves to have been compensated for their services, not having received the clothing or Land promised them ; and as, from their advanced age and infirmities, they are rendered less able to procure a living, by manual labor, they pray the attention of the Legislature to their case. And the said petitions were severally twice read, and referred to Mr. Weaver, Mr. Mitchell, and Mr. Lacock, to consider and report thereon.

Mr. Roberts presented the petition of the subscribers thereto, inhabitants of the counties of Philadelphia and Montgomery, praying for an Act incorporating a Company to build a permanent bridge over the river Schuylkill, at the place usually called the "Flat-rock ;" with power to establish Tolls ; and the same was twice read, and referred to Mr. Roberts, Mr. Doty, and Mr. Rahm, to consider and report thereon.

Mr. Lacock presented the petition of Joshua Beer, of Big-beaver township, Beaver county, stating that he purchased a certain real property of John Sutton, since deceased ; the greater part of the purchase-money for which he had paid. That, as Mr. Sutton died without making him a title, and as there is no written evidence of contract, the Petitioner cannot obtain relief, under the existing Laws of this Commonwealth. He therefore prays, that the Administrator of the estate of Mr. Sutton may be enabled to make him a title. And the said petition was twice read, and referred to Mr. Lacock, Mr. Laird, and Mr. Heston, to consider and report thereon.

Mr. Dorsey presented the petition of the President and Managers of the Company for promoting the cultivation of the Vine, in Pennsylvania, stating that the Commissioners appointed by the act of March, 1806, to raise 7000 dollars by way of Lottery, to enable the said Company to pay their debts, have hitherto declined acting ; by which the Company have sustained considerable injury : And that, as the said Commission-

ers have resigned, the petitioners pray that certain other persons (named in their petition) may be appointed to perform the duties enjoined by the said Act of 1806. And the same was twice read, and referred to Mr. Dorsey, Mr. Bright, and Mr. Preston, to consider and report thereon.

Mr. Dorsey also presented the petition of John Cornman, keeper of the prison for debtors in the city and county of Philadelphia, praying an increase of salary; which was twice read, and referred to Mr. Dorsey, Mr. Hiestler, and Mr. Udree, to consider and report thereon.

Mr. Lacock, presented the petition of the Subscribers, Commissioners of Beaver county, stating that considerable inconvenience is experienced by the present mode of selling unseated Lands for taxes; so far as the payment of the monies into the hands of the Sheriff, instead of the County Treasurer or Commissioners, who should be authorized to give titles for all Lands so sold; and that the Supervisors of the highways should make their returns of road-tax, on unseated Land, under oath: They therefore pray the attention of the Legislature to the same. And the said petition was twice read, and referred to Mr. Lacock, Mr. Brady, and Mr. Erwin, to consider and report thereon.

On leave given, the following Members withdrew the nominations of Candidates, for Senator of the United States, respectively made by them, *to wit*:

Mr. Rankin,	<i>that of William Findlay (s. r.)</i>
Mr. Weaver,	Nathaniel B. Boileau.
Mr. Roberts,	Presly C. Lane.
Mr. Mitchell,	Abner Lacock.
Mr. Lacock,	Isaac Weaver.
Mr. Dorsey,	William Jones.

A Committee from the House of Representatives, being introduced, informed the Senate, "that the Members of the House of Representatives are ready to receive the Members of the Senate, to proceed to the Election of a Senator of the United States, to supply the place of Samuel Maclay, whose time will expire with the 3d of March next."

Whereupon,

On motion of Mr. Weaver and Mr. Mitchell,  
The Senate proceeded to the chamber of the House  
of Representatives.

And, after some time,  
Returned to their own chamber.

Thereupon,

Mr. Brady, Teller on behalf of the Senate, made  
report ; which was read, as follows, *to wit* :

That the Members of the Senate and the Members  
of the House of Representatives met this day, at 12  
o'clock, agreeably to Law, in the chamber of the  
latter, for the purpose of choosing a Senator of the  
United States, to supply the vacancy which will occur  
on the 4th of March next ; and, upon counting the  
votes, it appeared that

MICHAEL LEIB had	90 votes.
JOSEPH HEMPHILL,	24
JOHN D. COXE,	11

And that, thereupon,  
Michael Leib was declared to be duly elected.

The following is the state of the poll, *to wit* :

Messrs. Lane (Speaker) Blocher, Bright, Borrows,  
Dorsey, Doty, Hiestler, Irish, Laird, Lacock, M'Ar-  
thur, Mitchell, Palmer, Rahm, Rankin, Roberts,  
Stevenson, Udree, and Weaver, of the Senate ; and

Messrs. Albright, Banks, Brown, Bucher, Colmery,  
Dana, Davis, Dechart, Dingman, Dyfart, Engle, F.  
Harris, Graffius, Griffin, Gros, Hanna, Herrington,  
Humphreys, Hyneman, Jordan, Lawrence, Lowrey,  
Machan, Maclay, M'Call, M'Clure, A. M'Farland,  
J. M'Farland, Mechling, Mitchell, Montgomery,  
Moore, Murray, Nace, Neuhard, O'Brien, Odenheimer,  
Ogle, Orr, Patterson, Pearson, Pepfer, Phillips, Piper,  
Ralston, Rankin, Rhoades, Rupert, Satterlee, Schnei-  
der, Shearer, Sheetz, Shulze, Sloan, I. Smith, R.  
Smith, Spangler, Starne, Starrett, C. Tarr, G. Tarr,  
Thompson, Tod, Trevor, Wallace, Weber, Weiser,  
Weiss, Wilson, Waygandt, and Boileau (Speaker) of  
the House of Representatives ; voted for Michael Leib.

Messrs. Campbell, Erwin, Miller, Preston, Slayma-  
ker, Wayne, of the Senate ; and



Messrs. Baily, Bethel, Darlington, Dorrance, J. Evans, Funk, Gettys, Gisch, Hulme, Kelton, Kimmel, Maxwell, M'Sherry, Miner, Ramsey, C. Smith, T. Smith, and Trimble, of the House of Representatives; voted for Joseph Hemphill.

Messrs. Brady, Gress, Heston, Lattimore, Mayer, Sommer, of the Senate; and

Messrs. Bull, G. Evans, Gordon, Leib, and M'Nair, of the House of Representatives; voted for John D. Coxe.

The Teller further reported, That 4 several certificates of the said election were signed by the Speaker of the Senate, as President of the Joint Meeting of the Members of both Houses; two of which were retained by the Clerk of the Senate; one of which to be transmitted to the President of the Senate of the United States; the other to be transmitted to the person elected. The 3d was delivered to the Clerk of the House of Representatives, to be entered on the Journal of that House; and the 4th is now presented to Senate, to be preserved among the records thereof, and entered upon their Journal.

The certificate was read, as follows, *to wit*:

I do hereby certify, that the Members of the Senate and the Members of the House of Representatives, of the General Assembly of the Commonwealth of Pennsylvania, having assembled in the Representatives' chamber, in conformity to the Law, entitled, "*An Act to prescribe the Times, Places, and Manner of choosing Senators, to represent this State in the Senate of the United States,*" passed the 5th day of February, 1802, did, by a majority of votes of the Members present, choose Michael Leib, of the county of Philadelphia; and the said Michael Leib is hereby accordingly declared to be duly chosen a Senator, to represent the said Commonwealth in the Senate of the United States.

Witness my hand, this 13th day of December, 1808.

P. C. LANE, *President*.

*Attest.*

JAMES BRADY, Teller on the part of the Senate.

JOHN WEBER, Teller on the part of the House of Representatives.

Adjourned, till 11 o'clock tomorrow morning.

Wednesday, December 14, 1808.

Mr. Palmer presented the memorial of the Commissioners of Luzerne county, stating that, as the Act regulating the payment of costs on indictments has expired by its own limitation, and as they deem its provisions highly valuable, they pray that the said Act may be revived; and the said memorial was twice read, and referred to Mr. Palmer, Mr. Mitchell, and Mr. Doty, to consider and report thereon.

Mr. Weaver presented the petition of Andrew M'Dowell, of Greene county, stating that he enlisted in the year 1775, and served his Country, in the Pennsylvania line, for one year; in which time he marched into Canada, was at Lake George and Montreal, and assisted in rescuing Colonel Biddle from the British. That, towards the close of the war, he again enlisted, and served 18 months, and assisted in the capture of the army under Lord Cornwallis. That he then marched under General Wayne, to the southward; and was afterwards regularly discharged, in Philadelphia, by Colonel Humpton. That he considers himself to have been but poorly compensated for his services and sufferings. He therefore prays relief. And the said petition was twice read, and referred to the Committee to whom was, yesterday, referred the petitions of Nicholas Blake and others, to consider and report thereon.

Mr. Dorsey presented the memorial of the Medical Professors of the University of Pennsylvania, praying that an Act may be passed, subjecting all Practitioners of Medicine to an examination by qualified persons, appointed by Government, before they are admitted to practice. And the same was twice read, and referred to Mr. Dorsey, Mr. Hiestor, and Mr. Udree, to consider and report thereon.

The Speaker laid before the Senate a letter, from George Bryan, soliciting a reappointment to the Clerkship of the Senate; which was read, and

Laid upon the table.

Agreeably to order,

The Senate proceeded to the choice of a Clerk (the Assistant-clerk having been first appointed Teller); and, upon counting the votes, it appeared that George Bryan was unanimously re-elected; to whom the requisite oaths were administered, by the Speaker.

The Clerk nominated Stacy Potts, jun. as his Assistant.

Whereupon,

The question, *Will Senate concur the nomination?* being put, was determined in the affirmative.

Agreeably to order,

The Resolution, respecting the mode of selecting and returning Juries, was read the second time, *to wit*:

*Resolved*, That a Committee be appointed to inquire, and report to the Senate, what alterations, if any, are necessary in the Laws for selecting and returning Jurors; and likewise the propriety of allowing the parties, in all civil suits, the privilege of peremptorily challenging a certain number of Jurors.

And, being again under consideration, a division of the Resolution was called for by Mr. Lacock, to end with the word "Jurors," where it first occurs.

Thereupon,

The question, on adopting the first member of the resolution, being put, was determined in the affirmative.

The second member of the Resolution being under consideration, after debate,

The Yeas and Nays, on adopting the same, were required by Mr. Lacock and Mr. Wayne; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Bright,  
Burrows,  
Dorsey,  
Doty,  
Erwin,  
Gress,  
Hiester,

YEAS.  
Messrs. Irish,  
Lacock,  
Laird,  
Lattimore,  
M'Arthur,  
Miller,  
Mitchell,  
Palmer,

YEAS.  
Messrs. Rahm,  
Rankin,  
Roberts,  
Sommer,

NAYS.  
Messrs. Brady,  
Heston,  
Mayer,

YEAS.  
Messrs. Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 24.

NAYS.  
Messrs. Preston,  
Slaymaker,  
Wayne. 6.

Twenty-four Yeas, six Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That Mr. Lacock, Mr. Brady, and Mr. Stevenson be the Committee.

Adjourned, till 11 o'clock tomorrow morning.

—:o:~:o:—

Thursday, December 15, 1808.

Mr. Mitchell presented the petition of Thomas Campbell, of York county, stating that he purchased a certain plantation, in Monahan township, in said county. That, in the year 1781, the Agents of forfeited estates, sold 74 acres of the said land, as the confiscated estate of William Rankin, to Bernard Hubley. That, as the Petitioner was engaged in the service of his Country, and at a distance from home, he was not acquainted with the transaction, till some time after his return; when the said Hubley brought an ejectment, for the possession of the said 74 acres of land; and on a trial, before the Circuit Court, a verdict and judgment were rendered to the Petitioner: But, as he has been thereby subjected to heavy expences, in defending his title, he deems it but reasonable, that the State (whose Officers put him to these expences) should remunerate him. He therefore prays relief. And the said petition was twice read, and referred to Mr. Mitchell, Mr. Lacock, and Mr. Miller, to consider and report thereon.

Mr. Lacock presented the memorial of the President, Managers, and Company of the Schuylkill and Susquehanna Navigation, stating that, notwithstanding

the encouragement and support which the Legislature have heretofore extended to the objects of the Company; yet they have not been able to avail themselves of any advantages therefrom, in consequence of the great number of Lotteries yearly established, by Law, which renders the power granted to the Company, to raise money in that way, of no use. That, as the Company cannot borrow money, without possessing a solid fund for paying the interest, the grant of money, under the Act of March 4, 1807, payable upon the completion of the Canal, is also rendered useless. The Company therefore pray, as the only attainable resource, that the future increase of Lotteries may be prevented, until they have realised the amount contemplated by the Act, authorising them to raise a certain sum, by way of Lottery. And the said memorial was twice read, and referred to Mr. Lacock, Mr. Laird, Mr. Heston, Mr. Rankin, Mr. Lattimore, Mr. Weaver, and Mr. Miller, to consider and report thereon.

Mr. Irish presented the petition of the Synod of Pittsburgh, stating that they have formed themselves into a Society, called the Western Missionary Society, "for the purpose of diffusing the knowledge of the Gospel among the inhabitants of the new settlements, the Indian Tribes, and, if need be, among some of the interior inhabitants, where they are not able to support the Gospel," They pray for an Act of Incorporation. And the said petition was twice read, and referred to Mr. Irish, Mr. Burrows, and Mr. Palmer, to consider and report thereon.

Mr. Mayer presented the petition of Adam Hart, Doorkeeper, praying to be allowed an Assistant, to enable him to perform his duties; and the same was twice read, and referred to Mr. Mayer, Mr. Slaymaker, and Mr. Blocher, to consider and report thereon.

Mr. Irish presented the petition of John Woods, of Pine township, Allegheny county, stating that he entered the service of his Country, in 1776; and served faithfully the term of his enlistment. That he was wounded at the battle of Edgehill. That, after the Revolution, he was actively engaged on the frontier,

against the Indians. That he never received the arrearage nor depreciation of his pay. And being now advanced in life, and with a large family, he is under the necessity of praying, from the justice of his Country, some aid, in his present miserable circumstances. And the said petition was twice read, and referred to the Committee to whom had been referred, on the 13th instant, the petition of Nicholas Blake and others, to consider and report thereon.

Mr. Lacock presented the petition of the subscribers, inhabitants of Beaver county, praying that certain alterations may be made in the State Road, between Beaver and Mercer; and the same was twice read, and referred to Mr. Lacock, Mr. Erwin, and Mr. Brady, to consider and report thereon, by Bill or otherwise.

Moved by Mr. Mitchell and Mr. Rahm,

Whereas the Books, Records, and Documents belonging to the different departments of the Government of this Commonwealth, particularly those of the Land-office, are in want of suitable Buildings for their safe-keeping, greatly exposed to dangerous accidents, by fire and otherwise: For remedy whereof,

*Resolved*, That a Committee be appointed to prepare and report a Bill, to fix the Permanent Seat of Government at \_\_\_\_\_ in the county of \_\_\_\_\_

And provide for erecting thereat suitable Buildings, for the accommodation of the Legislature, and the several Offices attached thereto, before the first Tuesday in December, which will be in the year one thousand eight hundred and \_\_\_\_\_

Ordered to lie upon the Table.

Moved by Mr. Dorsey and Mr. Hiestler,

*Resolved*, That the Clerk be authorized to direct the Printer of the Journal of Senate, to strike off 175 additional copies of the Journal, to enable the Clerk to furnish the Printers of Newspapers, and others, who may apply for the same: *Provided*, That the price shall not exceed the present stipulation.

*Resolved*, That the Clerk of the Senate, as soon as the Printing of the Journal and Bills of this Session are finished, shall employ a person, skilled in Printing, to

examine the same, and report to him, whether they have been done agreeably to the Resolution of 1802.

Ordered to lie upon the Table.

The petition of the subscribers thereto, inhabitants of Crawford county, read on the 10th instant, was again read, and referred to Mr. M'Arthur, Mr. Mayer, and Mr. Slaymaker, to consider and report thereon.

The Clerk of the House of Representatives presented, for concurrence, 2 Resolutions, *to wit* :

1. Requesting the Governor to furnish the Legislature information on the state of the public arms and ammunition, the property of this Commonwealth.

2. Instructing our Senators in Congress, &c. to procure information on the state of public defence.

Which were severally read the first time.

Adjourned, till 11 o'clock tomorrow morning.



Friday, December 16, 1808.

Mr. Weaver, from the Committee appointed to confer with the Committee of the House of Representatives, respecting the time, place, and manner of ascertaining and declaring the election of Governor, made report; which was read as follows, *to wit* :

That they have performed that service; and that the Joint Committee have agreed to recommend the following arrangement, to their respective Houses :

1. That the returns of the election of Governor shall be opened and published, by the Speaker of the Senate, as the Constitution directs, in the presence of the Members of both Houses, on Monday next, at 11 o'clock in the forenoon, in the chamber of the House of Representatives; and that each House shall previously appoint one of its Members a Teller, to cast up the votes.

2. That, upon publication of the votes for Governor, by the Speaker of the Senate, a certificate of the election shall be signed by the Speaker of the Senate; and also by the Speaker of the House of Representatives; which certificate shall be as follows :

“We, the Speaker of the Senate and the Speaker of the House of Representatives, of the Commonwealth of Pennsylvania, do hereby certify, that the Speaker of the Senate did, on the       day of December, in the year of our Lord 1808, in the chamber of the House of Representatives, in the Borough of Lancaster, open the returns of the election of Governor of the said Commonwealth, and did publish the same, in the presence of the Members of both Houses of the Legislature, conformably to the Constitution of the said Commonwealth; and that, upon counting the votes, by a Teller appointed by each House, it appeared that       had a majority of votes. Whereupon, the said       was declared to have been duly elected Governor of the said Commonwealth.

“In testimony whereof we have hereunto set our hands and seals, the day and year first herein before written.”

3. That the said certificate shall be deposited, by the Speaker of the Senate, in the Rolls-office, and be there recorded; and that a copy of the said certificate be attested by the Speakers of both Houses, and transmitted to the Governor-elect.

4. That a Committee of 6 Members (3 of whom to be appointed by the Senate, and 3 by the House of Representatives) shall attend the Governor-elect, on Tuesday next, at his residence in the Borough of Lancaster, and accompany him thence to the Members of the Legislature, assembled in the chamber of the House of Representatives; where the Speaker of the Senate (or, in his absence, the Speaker of the House of Representatives) shall administer the oaths of Office, and the oath to the United States, to the Governor-elect; which being done, the Governor shall be publicly declared, by the reading a copy of the said certificate of his election, by the Clerk of the Senate.

Whereupon,

On motion of Mr. Weaver and Mr. Roberts, and by special order,

The said report was again read, considered, and adopted.



Thereupon,

*Resolved*, That Mr. Lacock, Mr. Mitchel, and Mr. Dorsey be a Committee, for the purpose expressed in the last paragraph of said report; and that Mr. M'Arthur be the Teller, to officiate on the part of the Senate.

*Ordered*, That the Clerk acquaint the House of Representatives accordingly.

The Clerk of the House of Representatives presented an extract from the Journal of that House; and, for concurrence, the Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof.*"

The extract from the House of Representatives was read, as follows, *to wit*:

*"In the House of Representatives.*

*Dec. 15, 1808.*

*"Resolved*, That the Legislature will adjourn on Friday, the 23d instant; to meet again on Monday, the 2d day of January next."

Mr. Weaver, from the Committee appointed, on the 8th instant, to examine the Journal of the Senate of last Session, and to bring forward such parts of the unfinished Business as, in their opinion, ought to be acted upon during the present Session, reported the following Items, *viz.*

- |  |           |
|--|-----------|
| 1. Resolution on the purchase of "Graydon's Justice." Journal, | page 239  |
| 2. Petition of Abraham Faith, a revolutionary Soldier,         | 301       |
| 3. Bill on Weights and Measures,                               | 304       |
| 4. Do. on Foreign Attachments,                                 | 486       |
| 5. Do. on patenting small pieces of vacant Land,               | 497       |
| 6. Do. relating to Actual Settlers and Warrantees,             | 528       |
| 7. Report on the reform of public offices,                     | 269 & 333 |
| 8. Do. on the Luzerne Controversy,                             | 477       |

The Resolution for the distribution of certain Laws, of the United States, was read the second time, considered, and adopted.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Resolution, without amendment.

The Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof,*" was read the first time.

On motion of Mr. Lacock and Mr. Rahm, and by special order,

The resolution from the House of Representatives, relative to the Adjournment of the Legislature on the 23d instant, was again read; and being under consideration,

A motion was made by Mr. Roberts and Mr. Doty,

To amend the same, by striking out "Friday, the 23d instant," and, inserting "Saturday, the 24th;" which was not agreed to.

Thereupon,

A motion was made by Mr. Roberts and Mr. Wayne,

To postpone the further consideration of the Resolution, for the present; which was not agreed to.

Whereupon,

The Yeas and Nays, on adopting the said Resolution, were required by Mr. Lacock and Mr. Weaver; and, on the question being put, the Members voted as follow, *to wit* :

YEAS.  
Messrs. Blocher,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Gress,  
Heston,  
Hiester,

YEAS.  
Messrs. Lattimore,  
Mayer,  
Mitchell,  
Preston,  
Rankin,  
Slaymaker,  
Sommer,  
Udree. 16.

## NAYS.

Messrs. Brady,  
Burrows,  
Doty,  
Irish,  
Lacock,  
Laird,  
M'Arthur,  
Miller,

## NAYS.

Messrs. Palmer,  
Rahm,  
Roberts,  
Stevenson,  
Wayne,  
Weaver,  
Lane (*Speaker*). 15.

Sixteen Yeas, and fifteen Nays ; by which it appeared that the question was determined in the affirmative.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

Adjourned, till 11 o'clock tomorrow morning.



Saturday, December 17, 1808.

Mr. Brady presented the petition of John Irwin, of Westmoreland county, stating that he was appointed, by the Orphan's Court of Westmoreland county, Guardian of Rebecca Fitzgerald and James Fitzgerald, orphan children of James Fitzgerald, deceased. That, in settling the affairs of the said deceased, he was under the necessity of taking a tract of land, as part payment of a debt. That, with a view of a more ready transfer of the said land, as it did not answer the purpose or the wishes of the said orphans to hold it, the title was made to the Petitioner ; but not as Guardian of the said minors ; yet, he believes, he cannot make a title thereto, in case of a sale, unless permitted by special Act of the Legislature : And therefore prays, that such power may be vested in him, by Law. And the said petition was twice read, and referred to Mr. Brady, Mr. Miller, and Mr. Campbell, to consider and report thereon.

Mr. Lacock presented the petition of David and Benjamin Townsland, stating that they have established, on the Big Beaver creek, several valuable works, favorable to manufactures, particularly to Woollen and

Cotton cloths. And, as they cannot prosecute so necessary a manufacture (at this eventful crisis) without an increase of capital; they therefore pray the aid of the Legislature, by a loan of 5000 dollars, for 5 years. And the said petition was twice read, and referred to Mr. Lacock, Mr. Laird, and Mr. Heston, to consider and report thereon.

Mr. Irish presented the petition of Andrew Crookshanks, stating that a petition was presented, at the last Session of the Legislature, praying for further compensation for his services in the late Revolution; as he had been paid in a depreciated currency.

The Petitioner again begs the attention of the Legislature to his case. And the said petition was twice read, and referred to the Committee to whom were referred, on the 13th instant, the petitions of Nicholas Blake and others, to consider and report thereon.

Mr. Irish also presented the petition of Thomas M'Mullen, stating that he enlisted, in 1776, as a Private in the 8th Pennsylvania Regiment; and served faithfully during the period of his enlistment. After which, he served on an expedition to the Muncy Towns. That he does not consider himself to have been remunerated for his services: He therefore prays relief. And the said petition was twice read, and referred to the Committee to whom were referred, on the 13th instant, the petitions of Nicholas Blake and others.

Mr. Lacock presented the petition of William Wilson, of similar purport to that of Joshua Bear, read on the 13th instant; and the same was twice read, and referred to Mr. Lacock, Mr. Laird, and Mr. Heston, to consider and report thereon.

The Clerk of the House of Representatives presented an extract from the Journal of that House; which was read as follows, *to wit*:

*“In the House of Representatives.*

*Dec. 16, 1808.*

*“The report of the Committee, appointed to confer with a Committee of Senate, respecting the time, place, and manner of ascertaining and declaring the*

election of Governor, was read a second time, considered, and adopted. And

*“Ordered, That Mr. Engle be appointed Teller, on the part of this House, with a Member of Senate, to make a list of the votes, as the same shall be declared. And that Messrs. Leib, Mitchell, and Bucher be a Committee, on the part of this House, to attend the Governor-elect, on Tuesday next, for the purpose expressed in said report.”*

Mr. Mitchell, from the Committee to whom was referred, on the 15th instant, the petition of Thomas Campbell, made report; which was read, as follows, *to wit:*

That they have considered the facts and statements therein contained, and believe them true: They therefore submit the following Resolution, *viz.*

*Resolved, That a Committee be appointed to bring in a Bill, allowing Thomas Campbell the sum of dollars, for the loss of time, trouble, and expences which he incurred, through the error of the Agents of the Commonwealth.*

Mr. Irish, from the Committee to whom was referred, on the 15th instant, the petition of the Synod of Pittsburg, on leave now given, reported the Bill, entitled, *“An Act to incorporate the Western Missionary Society;”* which was read the first time.

Mr. Mayer, from the Committee to whom was referred, on the 15th instant, the petition of Adam Hart, made report; which was read, as follows, *to wit:*

That they have taken the subject referred to them under consideration; and beg leave to offer the following Resolution, *to wit:*

*Resolved, That Adam Hart be allowed extrapay for an Assistant; which shall not exceed cents per day; and of which he shall keep a regular account.*

Whereupon,

On motion of Mr. Lacock and Mr. Hiestler,

The said report was again read; and, the Resolution being under consideration,

A motion was made by Mr. Heston and Mr. Hiestler,

To fill the blank with the word "fifty;" which was agreed to, and the Resolution, as amended, adopted.

The Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof,*" was read the second time, and referred to Mr. Weaver, Mr. Palmer, and Mr. Sommer, to consider and report thereon.

On motion of Mr. Weaver and Mr. Roberts,

The report of the Committee on unfinished Business was again read, considered, and the following order taken thereon, *to wit* :

1 Item. A Resolution on the purchase of "Graydon's Justice," referred to Mr. Laird, Mr. Stevenson, and Mr. Bright.

2 Item. Petition of Abraham Faith, a revolutionary Soldier, referred to the Committee to whom have been referred, on the 13th instant, the petitions of Nicholas Blake and others.

3 Item. Bill on Weights and Measures, postponed for the present.

4 Item. Bill on Foreign Attachments, referred to Mr. Wayne, Mr. Dorsey, and Mr. Lattimore.

5 Item. Bill for patenting small pieces of vacant land, postponed for the present.

6 Item. Relating to Actual Settlers and Warrantees, referred to Mr. M'Arthur, Mr. Brady, Mr. Lacock, Mr. Sommer, and Mr. Irish.

7 Item. Report on the reform of Public Offices, referred to Mr. Weaver, Mr. Roberts, Mr. Preston, Mr. Rankin, and Mr. Doty.

8 Item. Report on the Luzerne Controversy, referred to Mr. Roberts, Mr. Palmer, Mr. Wayne, Mr. Mitchell, and Mr. Erwin.

On motion of Mr. Wayne and Mr. Roberts,

*Agreed*, That, when Senate adjourn, the adjournment be till 10 o'clock on Monday morning.

On motion of Mr. Dorsey and Mr. Hiester,

The following Resolution was twice read, considered, and adopted :

*Resolved*, That the Speaker draw his warrant on the Treasurer of the State, for the sum of 200 dollars, in favor of William Greer, Printer of the Bills of Senate; he to be accountable for the same.

Whereupon,

A warrant was accordingly so drawn.

On motion of Mr. Dorsey and Mr. Hiestler,

The Resolutions respecting the printing of an additional number of copies of the Journal of the Senate, and directing the Clerk, as soon as the printing-work of the Senate is completed, to have it examined, read on the 15th instant, were again read; and, being under consideration,

A motion was made, by Mr. Roberts and Mr. Dorsey,

To amend the first Resolution, by inserting a provision for an increase of the number of copies, of the Bills; which was not agreed to.

Whereupon,

On motion of Mr. Roberts and Mr. Dorsey,

The said Resolutions were amended, and agreed to, as follows, *to wit*:

*Resolved*, That the Clerk be authorized to direct the Printer of the Journal of Senate, to strike off 25 copies of the Journal, in addition to the number contained in his proposals, to enable the Clerk to furnish the Printers of Newspapers and others who may apply for the same: *Provided*, that the price shall not exceed the rate of the present stipulation.

*Resolved*, That the Clerk of the Senate, as soon as the printing of the Journal and Bills of this Session are finished, shall employ a person, skilled in printing, to examine the same, and report to him, whether they have been done agreeably to the Resolution of 1802.

Adjourned, till 10 oclock Monday morning.



Monday, December 19, 1808.

The Speaker laid before the Senate a letter (and the report therein referred to) from William Tilghman,

Chief Justice of the State; which was read as follows,  
*to wit :*

*Philadelphia, Dec. 15, 1808.*

SIR,

I have the Honor of transmitting to you, herewith, the Report of the Judges of the Supreme Court, on the Subject of the English Statutes; which I beg the favor of your presenting to the Senate.

I am, Sir,

With great Respect,

Your obedient Servant.

WM. TILGHMAN.

HON. PRESLY CAR LANE,

*Speaker of the Senate.*

The Report of the Judges of the Supreme Court was read, as follows, *to wit :*

*To the honorable the Senate, and House of Representatives,  
of the Commonwealth of Pennsylvania.*

THE undersigned, Judges of the Supreme Court of the said Commonwealth, respectfully submit their Report, of the English Statutes which are in Force in the said Commonwealth; and those of the said Statutes, which, in their Opinion, ought to be incorporated into the Statute Laws of the said Commonwealth.

They have taken the liberty, at the same time, of submitting a few preliminary Observations, connected with the Subject of the Report, and tending to explain the Principles which have governed them, in the Execution of the Trust which the Legislature have been pleased to confide in them.

The Subject is divided into two Branches. 1st. The ascertaining of such English Statutes as are in force in this Commonwealth. 2d. The opinion of the Judges, which of the Statutes, so in force, are proper to be incorporated into the Statute Laws of the Commonwealth.

In order to accomplish the first part of the Subject, it was necessary to begin with the Consideration of the present Constitution of the Commonwealth. It contains nothing particular, as to the point in question. There is a general Provision, that all Laws of this Commonwealth, in force at that time, and not inconsistent



with the said Constitution, and all Rights, &c. should continue, as if the said Alterations and Amendments had not been made. The Question still remained unanswered, What Laws were in force? It appeared, upon tracing the Matter further back, that an Act was passed on the 28th January, 1777, entitled, "An act to revive and put in Force, such and so much of the State Laws of the Province of Pennsylvania, as is judged necessary to be in Force in this Commonwealth." In this Act it is provided, that the Common Law, and such of the Statute Laws of England, as have been heretofore in force in the said Province, shall be in force, except as is hereafter excepted. The Exception relates to the Oath of Allegiance to the King of Greatbritain, the Acknowledgment of any authority in the Heirs of *William Penn*, the first Proprietary, the Laws ascertaining the number of Members of Assembly in any County, the time of Election, and Qualification of Electors, the English Statutes relating to Treason or Misprision of Treason, and such Laws or Acts of Assembly as declared, ordered, or directed any thing inconsistent with the then existing Constitution of the Commonwealth.

Still the point remained open : What English Statutes were in force in Pennsylvania. It become necessary, therefore, to mount up to the first Sources of Information, the Charter granted to William Penn, and the general Principles of Colonization.

It is provided, by the Charter, That the Laws for the regulating and governing of Property, as well for the Descent and Enjoyment of Lands, as likewise for the Enjoyment and Succession of Goods and Chattles ; and likewise as to Felonies, within the said Province ; shall be and continue the same as they shall be, for the time being, by the general course of the Law in the Kingdom of England ; until the said Law shall be altered by the said William Penn, his Heirs or Assigns, and by the Freemen of the said Province, their Delegates or Deputies, or the greater part of them.

Notwithstanding the generality of these Expressions, it has always been held, that many of the English Laws, relating both to Property and to Felonies, would have been improper for the state of things in an infant Colo-

ny; and accordingly they were néver practically extended here. It is the true Principle of Colonization, that the Emigrants from the Mother Country carry with them such Laws, as are useful in ther new Situation, and none other.

A multitude of English Statutes, relating to the Kings Prerogative, the Rights and Privileges of the Nobility and Clergy, the local Commerce and Revenue of England, and other Subjects unnecessary to enumerate, were improper to be extended to Pennsylvania. In order to execute the Duty required of them, it was necessary for the Judges to examine the Code of English Statute Law, from the beginning to the time of the Settlement of Pennsylvania, and to weigh, deliberately, which of them were proper to be adopted.

But this was not all—it was essential that our own Statute Book should be examined, to see in what cases the English Law had been altered, or in what cases it had been expressly extended here. Wherever our own Legislature had enacted a Law, on the same Subject on which an English Statute was to be found, it has been supposed, that the English Statute had no force here, even though it contained more extensive Provisions than our own Act of Assembly; because it was reasonable to presume, that our Assembly were acquainted with the English Statute, and designedly omitted some of its Provisions.

Besides these Inquiries, it was necessary to ascertain, what had been the Decisions of our own Courts, respecting the extension of English Statutes. This was no easy Task, as we have no printed Reports, prior to our Revolution, of Cases determined in our Courts of Justice. Of course, these Decisions are only to be known by Tradition, or manuscript Notes in the possession of Gentlemen of the Bar, or the Judges.

With respect to English Statutes, enacted since the Settlement of Pennsylvania, it has been assumed, as a Principle, that they do not extend here; unless they have been recognised by our Acts of Assembly, or adopted by long-continued Practice in Courts of Justice. Of the latter Description, there are very few; and those, it is supposed, were introduced from a Sense

of their evident Utility. As English Statutes, they had no obligatory Force : But, from long Practice, they may be considered as incorporated with the Law of our Country.

Having endeavored to ascertain the English Statutes which were in Force, the Judges proceeded to the second part of the Subject ; the Consideration of which of these Statutes were proper to be incorporated with our own Law. They felt, that this part of their Task, though very honorable, was very arduous : And, in executing it, they have thought themselves bound to proceed with great Caution. In Works which consist in the Alteration of long-established Usages, it is safer to do too little, than too much. The most experienced Builder cannot always calculate the exact effect of removing a stone. If further Alterations should be necessary, it is always competent to the Legislature to make them. It will be found by the Report, that, in a number of Cases, the Repeal of English Statutes is recommended. In a number of others, which appeared doubtful, it was thought best to leave them for further Experience.

In perusing the Statutes referred to in the Report, the Legislature will perceive, that, in many of them, the Language is uncouth and unsuited to our present form of Government. In many of them, too, they will find here and there a Sentence, not properly applicable to any other Country than England. There is no other way of curing these Defects, than by re-enacting the Substance of these Statutes, in Language suitable to our present Condition ; which might be attended with the additional Advantage, of simplifying the Statute Law, by reducing into one, several Acts passed on the same Subject. This would be a Work of Labor. Something of the kind has been done, in the States of Virginia, and Newyork : But, it is believed, that several years were employed in the performance.

From the outline which has been drawn, the Legislature will easily perceive the Difficulties attending the Report now presented to them ; and their Candor will induce them to bear in Mind, that it has been executed during the short Intervals of official Occupation. The

Judges dare not flatter themselves, that the performance approaches to Perfection. They trust, however, that it will not be found more defective, than might reasonably be expected.

WM. TILGHMAN,  
J. YEATES,  
THOMAS SMITH,  
H. H. BRACKENRIDGE.

Dec. 14, 1808.

## REPORT

Of the Judges of the Supreme Court of Pennsylvania, of the English Statutes which are in Force in the Commonwealth of Pennsylvania; and of those of the said Statutes which, in their Opinion, ought to be incorporated into the Statute Law of the said Commonwealth.

N. B. *Ruffhead's* Edition of the English Statutes at large, is referred to in this Report. The Opinion of the Judges is expressed under the Title of each Statute, whether or not the same ought to be incorporated.

*Book & Page. Year & Reign.*

*Titles of the Statutes.*

1 Ruffhead 3	9 Henry 3 Chap. 7	" A Widow shall have her Marriage-inheritance and Quarantine." That part only of this Statute is in Force, which provides, that a Widow shall tarry in the chief House of her Husband, 40 days after her Husband's Death; within which days her Dower shall be assigned her. To be incorporated.
id. 9	9 Henry 3 Chap. 34	" In what only case a Woman shall have an Appeal of Death." Not to be incorporated.
id. 16	20 Henry 3 Chap. 1	" A Woman shall recover Damages, in a Writ of Dower." To be incorporated.
id. 16	20 Henry 3 Chap. 2	" Widows may bequeath the Crop of their Lands." To be incorporated.
id. 16	20 Henry 3 Chap. 3	" Enquiry and Punishment of Rediflesin." To be incorporated.
id. 19	20 Henry 3 Chap. 9	" He is a Bastard, that is born before the Marriage of his Parents." To be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 20	21 Henry 3	"The Day of the Leap-year, and the Day before, shall be holden for one Day." To be incorporated.
id. 31	52 Henry 3 Chap. 4	"A Distress shall not be driven out of the County, and it shall be reasonable." To be incorporated.
id. 35	52 Henry 3 Chap. 8	"The Punishment of those who commit Redisseisin." To be incorporated.
id. 35	52 Henry 3 Chap. 13	"After Issue joined, there shall be but one Essoin or one Default." Not to be incorporated.
id. 37	52 Henry 3 Chap. 17	"The Authority and Duty of Guardian in Socage." To be incorporated.
id. 36	52 Henry 3 Chap. 15	"In what places Distresses shall not be taken." To be incorporated.
id. 39	52 Henry 3 Chap. 29	"In what case a Writ of Entry, sur Disseisin in the Post, doth lie." To be incorporated.
id. 43	3 Edward 1 Chap. 9	"All Men shall be ready to pursue Felons." That part only of this Statute is in Force, which provides that "all, generally, shall be ready, at the Commandment and Summons of Sheriffs, and at the Cry of the Country, to pursue and arrest Felons, where any need is." To be incorporated.
id. 54	3 Edward 1 Chap. 40	"Voucher to Warranty, and counterpleading of Voucher." To be incorporated.
id. 56	3 Edward 1 Chap. 42	"Certain Actions, wherein, after Appearance, the Tenant shall not be essoined." Not to be incorporated.
id. 56	3 Edward 1 Chap. 43	"There shall be no Fourcher by Essoin." Not to be incorporated.
id. 56	3 Edward 1 Chap. 44	"In what case, Essoin ultra mare, shall not be allowed." Not to be incorporated.

*Book & Page. Year & Reign.**Titles of the Statutes.*1 Ruffhead 3 Edward 1  
57 Chap. 47

“ In what case, the Nonage of the Heir of the Disseisor, or Disseisee, shall not prejudice.”

The whole of this Statute is in Force, except those parts which relate to Prelates, Men of Religion, and Writs of Attaint.

To be incorporated.

id. 58 3 Edward 1  
Chap. 49

“ The Tenant's Plea, in a Writ of Dower.”

To be incorporated.

id. 60 4 Edward 1  
Stat. 2

“ Concerning the Duty of a Coroner.”

This Statute is in Force, except those parts which relate to the Coroner's Duty, in the following points, viz. Making Enquiry as to the property of any Person, or seizing the property of any Person; Treasure that is found; Appeal of Rape, or of Wounds, or any other Appeals; Deodands, and Wrecks of the Sea: And also, except that part which provides, that Land shall remain in the King's hands, until the Lords of the Fee have made Fine for it.

To be incorporated.

id. 65 6 Edward 1  
Chap. 1

“ Several Actions, wherein Damages shall be recovered.”

To be incorporated.

id 65 6 Edward 1  
Chap. 2

“ In what case the Nonage of the Plaintiff shall not slay an Enquest.”

To be incorporated.

id. 65 6 Edward 1  
Chap. 3

“ An Alienation of Land by the Tenant, by the Curtesy with Warranty, shall be void.”

To be incorporated.

id. 66 6 Edward 1  
Chap. 5

“ Several Tenants, against whom an Action of Waste is maintainable.”

id. 66 6 Edward 1  
Chap. 5

The whole of this Statute is in Force, except that part which relates to Waste in the time of Wardship; which is not applicable to this Country.

To be incorporated.

id. 66 6 Edward 1  
Chap. 6

“ Where divers Heirs shall have one Assize of Mort D' Ancestor.”

To be incorporated.

id. 68 6 Edward 1  
Chap. 10

“ The Husband and Wife, being impleaded, shall not fourch by Effoin.”

Not to be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 69	6 Edward 1 Chap. 13	"No Waste shall be made, hanging a Suit for the Land." To be incorporated.
id. 78	13 Edward 1 Stat. 1 C. 1	"In Gifts in Tail, the Donor's Will shall be observed. The Form of a For- don." This Statute is in Force, except such part as has been altered by an Act of Assembly, passed 27th January, 1749 (Old Style) en- titled, "An Act for barring Estates Tail;" and another Act, passed 16th January, 1799, entitled, "An Act to facilitate the barring of Entails." To be incorporated.
id. 81	13 Edward 1 Stat. 1 C. 3	"A Cui in vita for the Wife. When a Wife, or he in Reversion shall be recei- ved." To be incorporated.
id. 83	13 Edward 1 Stat. 1 C. 4	"Where the Wife shall be endowable of Lands recovered against her Husband. Where the Heir may avoid a Dower recovered. A Remedy for particular Tenants losing by Default." This Statute is in Force, except that part which relates to Proceedings in a Writ of Right. To be incorporated.
id. 86	13 Edward 1 Stat. 1 C. 6	"The Penalty, if a Tenant impleaded voucheth, and the Vouchee denieth his War- ranty." To be incorporated.
id. 86	13 Edward 1 Stat. 1 C. 7	"Admeasurement of Dower, for the Guar- dian and the Heir, and the Process therein." To be incorporated.
id. 90	13 Edward 1 Stat. 1 C. 11	"The Masters' Remedy against their Ser- vants, and other Accountants." To be incorporated.
id. 91	13 Edward 1 Stat. 1 C. 12	"The Appellant being acquitted, the Ap- pellor and Abettors shall be punished. There shall be no Effoin for the Appellor." Not to be incorporated.
id. 92	13 Edward 1 Stat. 1 C. 14	"The Process in an Action of Waste. A Writ to enquire of Waste." To be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Rollhead 93	13 Edward 1 Stat. 1 C. 15	"An Infant eloined may sue by Prochein Amy." To be incorporated.
id. 93	13 Edward 1 Stat. 1 C. 17	"In what case Effoin de malo lecti doth lie; and where not." Not to be incorporated.
id. 94	13 Edward 1 Stat. 1 C. 20	"The Tenant's Answer, in a Writ of Cofinage, Aiel, or Befaiel." To be incorporated.
id. 94	13 Edward 1 Stat. 1 C. 22	"Waste maintainable by one Tenant in common against another." To be incorporated.
id. 95	13 Edward 1 Stat. 1 C. 23	"Executors may have a Writ of Account." To be incorporated.
id. 95	13 Edward 1 Stat. 1 C. 24	"A Writ of Nufance of a House, &c. levied and aliened to another. A Quod permittat, and Juris utrum, for a Parson of a Church. In like Cafes, like Writs be grantable." This Statute is in Force, except those parts which relate to Ecclesiastical Persons. To be incorporated.
id. 95	13 Edward 1 Stat. 1 C. 25	"Of what things an Affize shall lie. Certificate of Affize. Attachment in an Affize." This Statute is in Force, except that part which gives the Remedy by Affize in cafes of keeping of Parks, Woods, Forests, Chafes, Warrens, Gates, and other Bailiwicks and Offices, in Fee. Also that part which gives an immediate Remedy by Affize, in case any Person holding Land, for Term of years, aliens the same in Fee; and by such Alienation the Freehold is transferred to the Feoffee. Also, that part which authorizes the Sheriff to take an Ox for his Fee. To be incorporated.
id. 95	13 Edward 1 Stat. 1 C. 25	
id. 97	13 Edward 1 Stat. 1 C. 26	"Who may bring a Writ of Redisseisin; and the Punishment of the Offender therein." To be incorporated.
id. 97	13 Edward 1 Stat. 1 C. 27	"Effoin after Inquest, but none after day given Prece Partium." Not to be incorporated.



*Book & Page. Year & Reign.**Titles of the Statutes.*

1 Ruffhead 13 Edward 1  
98 Stat. 1 C. 30

"The authority of Justices of Nisi Prius. Adjournment of Suits. Certain Writs that be determinable in their proper Counties. A Jury may give their Verdict at large. None but which were summoned shall be put in Assizes or Juries."

The following parts only of this Statute are in Force:

Sect. 3, And when such Inquests be taken, they shall be returned into the Bench; and there shall Judgment be given, and there they shall be inrolled. The Justices of Nisi Prius shall have Clerks, to inrol all Pleas pleaded before them. The said Justices shall not compel the Jurors to say precisely, whether it be a Disceisin or not; so that they show the Truth of the Deed, and require Aid of the said Justices. But if they, of their own Head, will say that it is a Disceisin, their Verdict shall be admitted at their own Peril.

To be incorporated.

id. 99 13 Edward 1  
Stat. 1 C. 31

"An Exception to a Plea shall be sealed by the Justices."

To be incorporated.

id. 101 13 Edward 1  
Stat. 1 C. 34

"It is Felony to commit a Rape. A married Woman elopeth with an Avowterer. The Penalty of carrying a Nun from her House."

That part only of this Statute is in Force, which enacts, that, "if a Wife willingly leave her Husband, and go away and continue with her Avowterer, she shall be barred forever of Action to demand her Dower, that she ought to have of her Husband's Lands, if she be convicted thereupon; except that her Husband willingly reconcile her, and suffer her to dwell with him; in which case, she shall be restored to her Action.

To be incorporated.

id. 104 13 Edward 1  
Stat. 1 C. 39

"The manner to deliver Writs to the Sheriff to be executed. The Sheriff returneth "a Liberty," when none is. Returning of Issues. Resistance of Execution of Process."

Those parts only of this Statute are in Force, which define "what shall be accounted Issues;" direct the Punishment of the Sheriff, for false Returns; give Authority to the Sheriff to do certain things, in case of Re-

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 104	13 Edward 1 Stat. 1 C. 39	Assistance of the Execution of Process; and direct the Punishment of those who resist the Execution of Process. To be incorporated.
id. 106	13 Edward 1 Stat. 1 C. 40	"A Woman's Suit shall not be deferred, by the Minority of the Heir." To be incorporated.
id. 109	13 Edward 1 Stat. 1 C. 54	"The Process of Execution of things recorded within the year, or after." To be incorporated.
id. 123	18 Edward 1 Stat. 2	"Statute of Quo Warranto." To be incorporated.
id. 123	18 Edward 1 Stat. 3	"Another new Statute of Quo Warranto." To be incorporated.
id. 124	18 Edward 1 Stat. 4	"The manner of levying Fines," To be incorporated.
id. 125	20 Edward 1 Stat. 1	"The Statute of Vouchers." To be incorporated.
id. 126	20 Edward 1 Stat. 2	"A Statute of Waste." To be incorporated.
id. 127	20 Edward 1 Stat. 3	"Statute de Defensione Juris." To be incorporated.
id. 134	27 Edward 1 Stat. 1 C. 1	Statute "De Finibus levatis." To be incorporated.
id. 139	28 Edward 1 Stat. 2	"A Statute for Persons appealed." Not to be incorporated.
1 Ruffhead 145	28 Edward 1 Stat. 1. C. 16	"What shall be done with them that make false Returns." To be incorporated.
id. 149	33 Edward 1 Stat. 2	"Who be Conspirators, and who be Champertors." That part only of this Statute is in Force, which relates to "Conspirators;" and from that part is to be excepted, what relates to "Stewards and Bailiffs of Great Lords." To be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 150	33 Edward 1 Stat. 3	“ The Statute of Champerty.” That part only of this Statute is in Force, which relates to Conspirators. To be incorporated.
id. 151	33 Edward 1 Stat. 4	“ An Ordinance for Inquests.” To be incorporated.
id. 152	33 Edward 1 Stat. 6	“ An Ordinance for measuring of Land.” To be incorporated.
id. 153	34 Edward 1 Stat. 1	“ The Statute de conjunction Feoffatis.” This Statute is in Force, except those parts which relate to Writs of “ Juris utrum,” and “ Indicavit.” To be incorporated.
id. 174	12 Edward 2 Stat. 1 C. 1	“ Tenants in Affize of Novel Deseisin may make Attorneys.” To be incorporated.
id. 175	12 Edward 2 Stat. 1 C. 4	“ Justices of Nisi Prius shall record Non- suits, Defaults, &c.” Only those parts of this Statute are in Force, which are distinguished by the Num- bers 1, 2, and 6. To be incorporated.
id. 175	12 Edward 2 Stat. 1 C. 5	“ An Indenture shall be made, between the Sheriff and Bailiff of Liberty, of every Return.” That part only of this Statute is in Force, which obliges Sheriffs, and other Officers, to sign their Names to the Return of Writs. To be incorporated.
id. 177	12 Edward 2 Stat. 2	“ The Statute of Effoins.” Not to be incorporated.
id. 178	15 Edward 2	“ A Statute concerning Fines.” This Statute is in Force, except that part which relates to “ the Admission of Attorneys.” To be incorporated.
id. 201	2 Edward 3 Chap. 16	“ Nisi Prius may be granted, as well at the Tenant’s Suit as at the Demandant’s.” To be incorporated.
id. 201	2 Edward 3 Chap. 17	“ A Writ of Deceit shall be maintainable, in case of Garnishment, in Plea of Land.” To be incorporated.

*Book & Page. Year & Reign.**Titles of the Statutes.*

1 Ruffhead 220	4 Edward 3 Chap. 2	<p>“ The Authority of Justices of Assize, Goal-delivery, and of the Peace.”</p> <p>Only those parts of this Statute are in Force, which are distinguished by the Numbers 6 and 7.</p> <p>To be incorporated.</p>
id. 203	4 Edward 3 Chap. 7	<p>“ Executors shall have an Action of Trespass, for a Wrong done to their Testator.”</p> <p>To be incorporated.</p>
id. 210	5 Edward 3 Chap. 10	<p>“ The Punishment of a Juror that is ambidexter, and taketh Money.”</p> <p>To be incorporated.</p>
id. 224	14 Edward 3 Stat. 1 C. 6	<p>“ A Record which is defective, by Misprision of a Clerk, shall be amended.”</p> <p>To be incorporated.</p>
id. 229	14 Edward 3 Stat. 1 C. 16	<p>“ Before what Persons Nisi Prius may be granted.”</p> <p>That part only of this Statute is in Force, which enacts, that “ the Justices of Nisi Prius shall have Power to give Judgment on Verdicts of Assize; and upon Non-suits and Defaults; and return the same to the Court in Bank.”</p> <p>To be incorporated.</p>
id. 230	14 Edward 3 Stat. 1 C. 18	<p>“ If the Tenant will vouch to warranty a dead Man, the Demandant may aver that he is dead.”</p> <p>To be incorporated.</p>
id. 254	25 Edward 3 Stat. 2	<p>“ Of those that be beyond Sea.”</p> <p>Only that part of this Statute is in Force, which is distinguished by the Number 5.</p> <p>To be incorporated.</p>
id. 262	25 Edward 3 Stat. 5 C. 3	<p>“ No Indictor shall be put upon the Inquest of the Party indicted.”</p> <p>To be incorporated.</p>
id. 263	25 Edward 3 Stat. 5 C. 5	<p>“ Executors of Executor shall have the Benefit and Charge of the first Testator.”</p> <p>To be incorporated.</p>
id. 266	25 Edward 3 Stat. 5 C. 16	<p>“ The Exception of non-tenure of parcel, shall not abate the whole Writ.”</p> <p>To be incorporated.</p>

<i>Book &amp; Page. Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 28 Edward 3 288 Chap. 13	<p>“ The Warranty of Packing of Wool shall be put out. An Inquest shall be de medieta e linguæ, where an Alien is Party.”</p> <p>That part only of this Statute is in Force, which gives an Inquest de medietate linguæ.</p> <p>Not to be incorporated.</p>
id. 293 31 Edward 3 Stat. 1 C. 11	<p>“ To whom the Ordinary may commit the Administration of the Goods of him that dieth intestate. The Benefit and Charge of an Administrator.”</p> <p>This Statute is in Force, except that part which relates to expending Money for the Soul of the Deceased.</p> <p>To be incorporated.</p>
id. 299 34 Edward 3 Chap. 1	<p>“ What sort of Persons shall be Justices of Peace, and what Authority they shall have.”</p> <p>Those parts only of this Statute are in Force, which are distinguished by the Numbers 2, 3, 4, 5, 6, and 10.</p> <p>To be incorporated.</p>
id. 301 34 Edward 3 Chap. 8	<p>“ The Penalty of a Juror taking Reward to give his Verdict.”</p> <p>To be incorporated.</p>
id. 303 34 Edward 3 Chap. 16	<p>“ Nonclaim of Fines shall be hereafter no Bar.”</p> <p>To be incorporated.</p>
id. 320 38 Edward 3 Stat. 1 C. 12	<p>“ The Punishment of a Juror taking Reward to give Verdict, and of Embracers.”</p> <p>To be incorporated.</p>
id. 332 50 Edward 3 Chap. 6	<p>“ Fraudulent Assurances of Land or Goods, to deceive Creditors, shall be void.”</p> <p>To be incorporated.</p>
id. 336 1 Richard 2 Chap. 9	<p>“ A Feoffment of Lands, or Gift of Goods, for Maintenance, shall be void. An Affize is maintainable against the Pernor of the Profits of Land.”</p> <p>This Statute is in Force, except such parts as are altered by the Statutes of 4th of Henry 4th, Chap. 7; 11th of Henry 6th, Chap. 3; 4th of Henry 7th, Chap. 24; and 27th of Henry 8th, Chap. 10.</p> <p>To be incorporated.</p>

*Book & Page. Year & Reign.**Titles of the Statutes.*

1 Ruffhead 337	1 Richard 2 Chap. 12	<p>“ A Prisoner by Judgment shall not be let at large. Confession of a Debt to the King, to delay another’s Execution.”</p> <p>This Statute is in Force, except such parts as relate to Confessions of Debts to the King.</p> <p>To be incorporated.</p>
id. 359	6 Richard 2 Stat. 1 C. 3	<p>“ In which Courts Writs of Nufance, called Vicontiels, shall be pursued.”</p> <p>So much of this Statute is in Force, as gives the Plaintiff an Election to have a Writ of Nufance, in nature of an Assize.</p> <p>To be incorporated.</p>
id. 371	8 Richard 2 Chap. 4	<p>“ The Penalty, if a Judge or Clerk make a false Entry, rase a Roll, or change a Verdict.”</p> <p>To be incorporated.</p>
id. 372	9 Richard 2 Chap. 3	<p>“ A Writ of Error or Attaint, maintainable by him in Reversion.”</p> <p>So much only of this Statute is in Force, as gives a Writ of Error to him in Reversion.</p> <p>To be incorporated.</p>
id. 390	13 Richard 2 Stat. 1 C. 17	<p>“ Where he in the Reversion may be received, in a Suit commenced against the particular Tenant.”</p> <p>To be incorporated.</p>
id. 400	15 Richard 2 Chap. 2	<p>“ The Duty of Justices of Peace, when any Forcible Entry is made into Lands,”</p> <p>So much only of this Statute is in Force, as relates to Forcible Entry and Detainer, or either of them.</p> <p>To be incorporated.</p>
id. 437	2 Henry 4 Chap. 7	<p>“ In what Case the Plaintiff shall not be nonsuit, if the Verdict pass against him.”</p> <p>To be incorporated.</p>
id. 446	4 Henry 4 Chap. 4	<p>“ The Dissesee shall have an Assize against the Disseisor taking the Profits.”</p> <p>To be incorporated.</p>
id. 460	5 Henry 4 Chap. 14	<p>“ Inrolling of Writs in the Common Pleas, whereupon Fines be levied.”</p> <p>That part only of this Statute is in Force, which directs, that all the Writs of Covenant, and all other Writs whereupon Fines shall be levied, with the Writs of dedimus</p>

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
1 Ruffhead 460	5 Henry 4 Chap. 14	potestatem, if any, with all knowledges and notes of the same, shall be inrolled in a Roll, to be of record forever. To be incorporated.
id. 483	1 Henry 5 Chap. 5	“ In which original Writs Additions of the Defendant's Name shall be put.” So much of this Statute is in Force, as requires an addition of the Defendant's estate, or degree, or mystery, and of the county in which the Defendant is, or in which he is conversant. To be incorporated.
id. 513	9 Henry 5 Chap. 4	“ The Justices may amend Defaults in Records or Process, after Judgment given.” To be incorporated.
id. 534	4 Henry 6 Chap. 3	“ Justices, in certain Cases, may amend their Records according to former Statutes.” To be incorporated.
id. 545	8 Henry 6 Chap. 9	“ The Duty of Justices of Peace, where Land is entered upon or detained with Force.” To be incorporated.
id. 550	8 Henry 6 Chap. 12	“ No Judgment or Record shall be reversed, for any Writ, Process, &c. raised. What Defects in Records may be amended by the Judges, and what not.” Only the 1st and 2d Sections of this Statute are in Force. To be incorporated.
id. 553	8 Henry 6 Chap. 15	“ The Justices may, in certain Cases, amend Defaults in Records.” To be incorporated.
id. 557	8 Henry 6 Chap. 29	“ An Inquest shall be, de medietate linguæ, where an Alien is Party.” Not to be incorporated.
id. 569	11 Henry 6 Chap. 2	“ The Penalty where a Sheriff is named a Disseisor in an Affize.” To be incorporated.
id. 569	11 Henry 6 Chap. 3	“ An Affize, &c. maintainable against the Pernor of the Profits.” To be incorporated.

*Book & Page. Year & Reign.**Titles of the Statutes.*

1 Ruffhead 11 Henry 6  
571 Chap. 5

"The Remedy, where a Tenant granteth over his Estate, taketh the Profits, and committeth Waste."

To be incorporated.

2 Ruffhead 1 Richard 3  
56 Chap. 7

"Who shall be bound by a Fine levied before the Justices of the Common Pleas, and Proclamations made thereon."

This Statute is in Force, except such parts as are altered by the Statute of 31st of Elizabeth, Chap. 2

To be incorporated.

id. 68 3 Henry 7  
Chap. 1

"The Authority of the Court of Star-chamber. Where one Inquest shall enquire of the Concealment of another. A Coroner's Duty, after a Murder committed. A Justice of Peace shall certify his Recognizances, &c."

Only those parts of this Statute are in Force, which are distinguished by the Numbers from 6 to 19, both inclusive, and by the Number 26.

To be incorporated.

id. 69 3 Henry 7  
Chap. 3

"Justices of Peace may let Prisoners to Bail. The Sheriff shall certify the Names of all his Prisoners, at the Goal-delivery."

Only that part of this Statute is in Force, which is distinguished by the Number 5.

To be incorporated.

id. 70 3 Henry 7  
Chap. 4

"All Deeds of Gift, made to defraud Creditors, shall be void."

To be incorporated.

id. 72 3 Henry 7  
Chap. 10

"Costs, &c. awarded to the Plaintiff, where the Defendant sueth a Writ of Error."

To be incorporated.

id. 78 4 Henry 7  
Chap. 20

"Actions Popular, prosecuted by Collusion, shall be no Bar to those which be pursued with good Faith."

To be incorporated.

id. 79 4 Henry 7  
Chap. 24

"How often a Fine levied in the Common Pleas shall be read and proclaimed, and who then shall be bound thereby."

To be incorporated.



<i>Book &amp; Page. Year &amp; Reign.</i>		<i>Titles of the Statutes.</i>
2 Ruffhead 85	11 Henry 7 Chap. 12	“ A Mean to help and speed poor Persons in their Suits.” To be incorporated.
id. 89	11 Henry 7 Chap. 20	“ Certain Alienations made by the Wife, of the Lands of her deceased Husband, shall be void.” To be incorporated.
id. 105	19 Henry 7 Chap. 20	“ Writs of Error.” To be incorporated.
id. 120	5 Henry 8 Chap. 6	“ An Act concerning Surgeons, to be dis- charged of Quests and other things.” So much only of this Statute is in Force, as discharges Surgeons from Service on Ju- ries. To be incorporated.
id. 126	7 Henry 8 Chap. 4	“ An Act concerning Avowries for Rents and Services.” This Statute is in Force, except those parts that relate to Writs of Quare impedit, and Advowsons. To be incorporated.
id. 137	21 Henry 8 Chap. 3	“ Plaintiffs in Affize, may abridge their Plaints.” To be incorporated.
id. 138	21 Henry 8 Chap. 5	“ What Fees ought to be taken for Pro- bate of Testaments.” That part only of this Statute is in Force, which relates to the Persons to whom Admi- nistration is to be granted. To be incorporated.
id. 141	21 Henry 8 Chap. 7	“ Servants embezzling their Master’s Goods, to the Value of forty Shillings, or above, shall be punished as Felons.”
id. 141	21 Henry 8 Chap. 7	This Statute, after having been repealed, was revived, by the Statute of 5th Eliza- beth, Chap. 10. To be incorporated.
id. 147	21 Henry 8 Chap. 15	“ Fermors shall enjoy their Leases, against Recoveries by feigned Titles, &c.” To be incorporated.

<i>Book &amp; Page. Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
2 Ruffhead 23 Henry 8 173 Chap. 15	"An Act, that the Plaintiff being non-suited, shall yield Damages to the Defendant, in Actions personal, by the Discretion of the Justices." To be incorporated.
id. 176 24 Henry 8 Chap. 1	"An Act where Defendant shall not recover any Costs." Not to be incorporated.
id. 226 27 Henry 8 Chap. 10	"An Act concerning Uses and Wills." Only the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, and 10th Sections of this Statute are in Force. To be incorporated.
id. 261 31 Henry 8	"For Jointenants and Tenants in common." To be incorporated.
id. 277 32 Henry 8 Chap. 5	"For the Continuation of Debts upon Execution." To be incorporated.
id. 291 32 Henry 8 Chap. 28	"Lessees to enjoy the Farm against Tenants in Tail." This Statute is in Force, except the 4th, 5th, and 8th Sections. To be incorporated.
id. 293 32 Henry 8 Chap. 30	"Mispleadings. Jeofails." This Statute is in Force, except the 2d and 3d Sections. To be incorporated.
id. 294 32 Henry 8 Chap. 32	"Jointenants for Term of Life or Years." To be incorporated
id. 294 32 Henry 8 Chap. 33	"An Act that wrongful Disseisin is no Descent in Law." To be incorporated.
2 Ruffhead 32 Henry 8 294 Chap. 34	"Concerning Grantees of Reversions, to take Advantage of the Conditions to be performed by Lessees." This Statute is in Force, except such parts as relate to the King of England and his Grantees. To be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
2 Ruffhead 296	32 Henry 8 Chap. 36	"For the Exposition of Fines." This Statute is in Force, except the 3d and 4th Sections. To be incorporated.
id. 297	32 Henry 8 Chap. 37	"For Recovery of Arrearages of Rents, by Executors of Tenant in Fee Simple." This Statute is in Force, except the 2d Section. To be incorporated.
id. 375	37 Henry 8 Chap. 8	"The Act, that any Indictment lacking these Words, <i>vi &amp; armis</i> , shall be good." This Act is in Force, except the 2d Section. To be incorporated.
id. 422	2 & 3 Ed- ward 6 Chap. 24	"An Act for Trial of Murders and Felon- ies committed in several Counties." To be incorporated.
id. 461	1 Mary, Ses- sion 2 Chap. 7	"An Act touching Proclamations upon Fines." To be incorporated.
id. 484	1 & 2 Philip and Mary Chap. 12	"An Act for the impounding of Dis- tresses." Only the first Section of this Statute is in Force. To be incorporated.
id. 484	1 & 2 Philip and Mary Chap. 13	"An Act concerning Bailment of Per- sons." The 2d, 3d, 4th, and 5th Sections only are in Force.
id. 493	2 & 3 Philip and Mary Chap. 19	"An Act to take the Examination of Pri- soners, suspected of any Manslaughter or Felony." To be incorporated.
id. 549	5 Elizabeth Chap. 9	"An Act for Punishment of such as shall procure or commit any wilful Perjury." This Statute is in Force, except the 10th, 11th, 12th, and 13th Sections, which are inapplicable to this Commonwealth, and ex- cept the Punishment by Imprisonment and paying of Money, which is altered by our Act of Assembly for reforming the Penal Laws. To be incorporated.

*Book & Page. Year & Reign.**Titles of the Statutes.*

2 Ruffhead 8 Elizabeth  
549 Chap. 2

"An Act for avoiding of wrongful Vexation, touching the Writ of Latitat."  
Only the 1st, 2d, 4th, and 5th Sections of this Statute are in Force.  
To be incorporated.

id. 588 13 Elizabeth  
Chap. 5

"An Act against fraudulent Deeds, Alienation, &c."  
To be incorporated.

id. 607 14 Elizabeth  
Chap. 8

"An Act for the avoiding of Recoveries, suffered by Collusion by Tenants, for Term of Life, and such others."  
To be incorporated.

id. 621 18 Elizabeth  
Chap. 14

"An Act for Reformation of Jeofails."  
This Statute is in Force, except the 3d Section.  
To be incorporated.

id. 626 23 Elizabeth  
Chap. 3

"An Act for the Reformation of Errors in Fines and Recoveries."  
This Statute is in Force, except the 6th, 7th, 8th, 9th, and 10th Sections.  
To be incorporated.

id. 636 27 Elizabeth  
Chap. 4

"An Act against covinous and fraudulent Conveyances."  
This Statute is in Force, except the 7th, 8th, 9th, 10th, 11th, and 12th Sections.  
To be incorporated.

id. 638 27 Elizabeth  
Chap. 5

"An Act for Furtherance of Justice, in case of Demurrer and Pleadings."  
To be incorporated.

id. 659 31 Elizabeth  
Chap. 2

"An Act for abridging of Proclamations upon Fines, to be levied at the Common Law."  
To be incorporated.

id. 668 31 Elizabeth  
Chap. 11

"An Act of Explanation or Declaration of the Statute of Octavo Regis Henrici 6th, concerning Forcible Entries, the Indictments thereupon found."  
To be incorporated.

id. 712 43 Elizabeth  
Chap. 8

"An Act against fraudulent Administration of Intestate's Goods."  
To be incorporated.

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
3 Ruffhead 52	3 James 1 Chap. 8	"An Act to avoid unnecessary Delays of Execution." To be incorporated.
id. 68	4 James 1 Chap. 3	"An Act to give Costs to the Defendant, upon a Nonsuit of the Plaintiff, or Verdict against him." To be incorporated.
id. 99	21 James 1 Chap. 13	"An Act for the further Reformation of Jeofails." To be incorporated.
id. 100	21 James 1 Chap. 15	"An Act to enable Judges and Justices of the Peace to give Restitution of Possession, in certain Cases." To be incorporated.
id. 111	21 James 1 Chap. 24	"An Act for the Relief of Creditors against such Persons as die in Execution." To be incorporated.
id. 192	12 Charles 2 Chap. 24	"An Act for taking away the Court of Wards and Liveries, and Tenures by Capite, and by Knight's Service, and Purveyance, and for settling a Revenue on his Majesty, in Lieu thereof." Only the 8th and 9th Sections of this are in Force. To be incorporated.
id. 215	13 Charles 2 Stat. 2 C. 2	"An Act for the Prevention of Vexations and Oppressions by Arrests, and of Delays in Suits of Law." This Statute is in Force, except certain parts which have a local Object, and are therefore inapplicable to this Commonwealth, and certain other parts, which are altered by our Acts of Assembly, or the Practice of our Courts. To be incorporated.
id. 293	16 and 17 Charles 2 Chap. 8	"An Act to prevent Arrests of Judgment, and superseding Executions." This Statute is in Force, subject to the same Exceptions as were mentioned, with relation to the Statute of 13th Charles 2d. Stat. 2d. Chap. 2. To be incorporated.

*Book & Page. Year & Reign.**Titles of the Statutes.*

3 Ruffhead 17 Charles 2  
299 Chap. 8

"An Act for avoiding unnecessary Suits and Delays."

To be incorporated.

id. 313 19 Charles 2  
Chap. 6

"An Act for Redress of Inconveniences, by Want of Proof of the Deceases of Persons beyond the Seas, or absenting themselves, upon whose Lives Estates do depend."

To be incorporated.

id. 357 22 and 23  
Charles 2  
Chap. 9

"An Act for laying Impositions on Proceedings at Law."

All that is unexpired of this Statute; that is to say, the 136th Section, "for Prevention of trivial and vexatious Suits in Law," is in Force.

To be incorporated.

id. 394 30 Charles 2  
Chap. 7

"An Act to enable Creditors to recover their Debts of the Executors and Administrators of Executors in their own Wrong."

To be incorporated.

id. 527 4 & 5 William & Mary  
Chap. 21

"An Act for delivering Declarations to Prisoners."

To be incorporated.

id. 642 8 & 9 William 3  
Chap. 11

"An Act for the better preventing of frivolous and vexatious Suits."

To be incorporated.

id. 697 9 & 10 William 3  
Chap. 15

"An Act for determining Differences, by Arbitration."

To be incorporated.

4 Ruffhead 10 and 11  
14 William 3  
Chap. 16

"An Act to enable posthumous Children to take Estates, as if born in their Father's Lifetime."

To be incorporated.

id. 43 11 and 12  
William 3  
Chap. 6

"An Act to enable his Majesty's natural-born Subjects, to inherit the Estate of their Ancestors, either lineal or collateral, notwithstanding their Father or Mother were Aliens."

Chap. 6

To be incorporated.

id. 180 3 & 4 Ann  
Chap. 9

"An Act for giving like Remedy upon Promissory Notes, as is now used upon Bills of Exchange, and for the better Payment of inland Bills of Exchange."

<i>Book &amp; Page.</i>	<i>Year &amp; Reign.</i>	<i>Titles of the Statutes.</i>
4 Ruffhead 180	11 and 12 William 3	The 1st, 3d, 4th, and 8th Sections of this Statute are in Force. To be incorporated.
id. 205	4 Ann Chap. 16	" An Act for the Amendment of the Law, and the better Advancement of Justice." The first 13 Sections, and the 20th and 27th Sections, of this Statute are in Force. To be incorporated.
5 Ruffhead 201	5 George 1 Chap. 13	" An Act for the Amendment of Writs of Error, and for the preventing the arresting or reversing of Judgments, after Verdict." To be incorporated.
6 Ruffhead 167	7 George 2 Chap. 20	" An Act for the more easy Redemption and Foreclosure of Mortgages." The 1st and 3d Sections of this Statute are in Force. To be incorporated.
id. 296	11 George 2 Chap. 19	" An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants." The 14th and 15th Sections of this Sta- tute are in Force. To be incorporated.

There are several Statutes, called Statutes of *Mortmain*; one of which (" the Statute de Religiosis") was passed in the 7th year of Edward 1st, Statute the 2d; another, in the 13th year of Edward the 1st, Chap. 32; another, in the 15th year of Richard the 2d, Chap. 5; and another in the 23d year of Henry the 8th, Chap. 10. These Statutes are in part inapplicable to this Country, and in part applicable, and in Force. They are so far in Force, that all Conveyances, either by Deed or Will, of Lands, Tenements, or Hereditaments, made to a Body Corporate, or for the use of a Body Corporate, are void, unless sanctioned by Charter, or Act of Assembly. So also are all such Conveyances void, made either to an Individual, or to any number of Persons associated, but not incorporated, if the said Conveyances are for uses or purposes of a *superstitious* Nature, and not calculated to promote Objects of Charity or Utility.

To be incorporated.

WM. TILGHMAN,  
J. YEATES,  
THOMAS SMITH,  
H. H. BRACKENRIDGE.

Dec. 14, 1808.

*Ordered*, That the usual number of copies of the said Report be printed, in pamphlet form, for the use of the Members.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit* :

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

The Secretary will lay before the respective Houses, copies of a letter from the Governor of Newjersey, and of an Act of assembly of that State, entitled, "*An Act to regulate the Fisheries in the River Delaware, and for other Purposes.*"

THOMAS M'KEAN.

*Lancaster, Dec. 16, 1808.*

The letter accompanying the message, together with the copy of the Law referred to in the letter, were severally read. The following is a copy of the letter, *to wit* :

*Newjersey, Trenton Dec. 5, 1808.*

SIR,

The enclosed Law, of the State of Newjersey, is transmitted to the Legislature of the Commonwealth of Pennsylvania, agreeably to the 12th Section thereof.

With great respect,

Your most obedient Servant.

JOSEPH BLOOMFIELD.

*His Excellency* THOMAS M'KEAN,

*Governor of the Commonwealth*

*of Pennsylvania.*

Moved by Mr. Wayne and Mr Preston,

*Resolved*, That the Clerk of Senate be, and he is hereby, directed to procure, for the use of Senate, copies of the Journals of Congress, from the commencement of the revolutionary War, until the adoption of the Constitution of the United States.

*Ordered* to lie on the table.

Whereupon,

On motion of Mr. Mitchell and Mr. Wayne,



The said Resolution was again read ; and, being under consideration,

A motion was made by Mr. Wayne and Mr. Preston,

To fill the blank with the word "*ten* ;" which was agreed to, and the Resolution, as amended, adopted.

Moved by Mr. Laird and Mr. Lacock,

*Resolved*, That a Committee be appointed to inquire, and report to the Senate, the propriety of extending the powers of the Justices of the Peace and Aldermen of this Commonwealth, to actions of trover to the amount of                  dollars.

Ordered to lie upon the table.

Whereupon,

On motion of Mr. Lacock and Mr. Mitchell,

The said Resolution was again read ; and, being again under consideration,

A motion was made by Mr. Laird and Mr. Lacock,

To fill the blank with the word "*ten* ;" which was agreed to, and the Resolution adopted.

*Ordered*, That Mr. Laird, Mr. Lacock, and Mr. Brady be the Committee, for the purpose expressed in the Resolution.

On motion of Mr. Weaver and Mr. Roberts,

Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Tuesday, December 20, 1808.

Mr. Dorsey presented the petition of the Directors of the Farmers' and Mechanics' Bank, established in the city of Philadelphia, in behalf of themselves and the other holders of Stock, in that Bank, praying for an Act of Incorporation ; and the same was read, and

Laid upon the Table.

Mr. Weaver, from the Committee to whom was referred the petitions of Nicholas Blake and others, on leave now given, reported the Bill, entitled, "*An Act granting to certain Persons, therein named, the Depreciation of their Pay as Soldiers*;" which was read the first time.

Mr. M'Arthur, Teller on the part of the Senate, to officiate at the meeting of the Members of the two Houses, of the Legislature, in ascertaining the votes for Governor, made report; which was read, as follows, *to wit* :

That, at a meeting of the Members of the two Houses, yesterday, in the chamber of the House of Representatives, the following appeared to be the result of the votes given for Governor, at the General Election, in the several counties of this Commonwealth, *to wit* :

City and Counties.	Simon Snyder.	James Ross.	John Spayd.	Seating.
1 Philadelphia city	6757	4784	47	4
2 Philadelphia county				
3 Bucks	2611	2621	86	1
4 Chester	3147	3264	37	
5 Lancaster	3598	4089	45	
6 York	2867	1651	18	
7 Cumberland	2717	1204	7	
8 Berks	3558	1321	1790	
9 Northampton	2817	1185	1364	
10 Wayne	322	112	55	
11 Northumberland	4131	1069	136	
12 Washington	3680	1067	6	
13 Armstrong	527	206	21	
14 Indiana	527	206	36	
15 Westmoreland	1858	1261	34	
16 Fayette	2325	931	16	1
17 Bedford	1422	844	15	
18 Franklin	2039	1367	12	
19 Montgomery	2988	2263	89	
20 Dauphin	3041	855	74	
21 Luzerne	772	1239	52	
22 Huntingdon	1429	900	4	1
23 Beaver	1125	359	4	
24 Allegheny	2118	1249	4	
25 Butler	886	221		
26 Mifflin	1561	283	13	
27 Delaware	738	1338	4	
28 Somerset	1124	297	8	
29 Cambria	480	119	3	

City and Counties.	Simon Snyder.	James Ross.	John Spayd.	Scat- tering.
30 Lycoming	1222	520	4	
31 Greene	1183	350		
32 Adams	795	1372	4	
33 Centre	1609	177	10	1
34 Erie	353	244		
35 Crawford	623	266	1	
36 Mecer	872	215	7	
37 Venango	460	126		

We certify, that the total number of votes given for the Office of Governor, at the late General Election, is

111,564

Of which, SIMON SNYDER had

67,975

JAMES ROSS had

39,575

JOHN SPAYD had

4006

Scattering votes

8

111,564

*Attest.*

WILLIAM M'ARTHUR, Teller on the part of the Senate.

JAMES ENGLE, Teller on the part of the House of Representatives.

On motion of Mr. Wayne and Mr. Sommer,

The following Resolution was twice read, considered, and adopted, *to wit* :

*Resolved*, That the Clerk of Senate shall direct the Printer to strike off 150 copies of the Report of the Judges, additional to those yesterday ordered.

The Reports of the Surveyor-general, and Secretary of the Land-office, on the Luzerne Controversy, were severally read the second time, and referred to the Committee to whom were referred, on the 17th inst. that item of the Report of unfinished Business, which relates to the Luzerne Controversy.

The Report of the Committee on the petition of Thomas Campbell, read the 17th inst. was again read, considered, and the Resolution attached thereto adopted, as follows, *to wit* :

*Resolved*, That a Committee be appointed to bring in a Bill, allowing Thomas Campbell the sum of dollars, for the loss of time, trouble, and expences which he incurred, through the error of the Agents of the Commonwealth.

*Ordered*, That the Committee who brought in the Report, be the Committee for the purpose expressed in the Resolution.

The Clerk of the House of Representatives presented to the Senate, for concurrence, two Bills and a Resolution, entitled, respectively, as follow, *to wit* :

1. *An Act to enable the Administrators of Henry Lenox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof.*

2. *An Act supplementary to an Act, entitled, "An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts, and accomplish the Object of their Association; and 2000 Dollars, for erecting a Schoolhouse near Summonytown, in Montgomery County."*

3. Resolution, approbating the Measures of the General Government.

Which were severally read the first time.

On motion, and by special order, the last-mentioned Bill was again read, and referred to Mr. Roberts, Mr. Doty, and Mr. Rahm, to consider and report thereon.

The Report of the Secretary of the Land-office, on the state of his Office, read on the 9th instant, was again read, and referred to Mr. Roberts, Mr. Doty, and Mr. Wayne, to consider and report thereon.

On motion of Mr. Lacock and Mr. Laird,

Adjourned for half an hour.

#### SAME DAY.

A Committee of the House of Representatives, being introduced, informed the Senate, "that the Members of the House of Representatives are ready to receive the Members of the Senate in their chamber; where the requisite oaths will be administered to the Governor-elect, agreeably to the Joint Resolution."

Whereupon,

The Senate adjourned, till 11 o'clock tomorrow morning.



Wednesday, December 21, 1808.

The Speaker informed the Senate, that, after the Governor had finished his inaugural Address to the Members of the two Houses, yesterday, he put into the hands of the Speaker a copy thereof; which he now submitted to the Senate, and which was read, as follows, *to wit* :

FELLOW-CITIZENS,

Elevated to the first office of the Commonwealth, I approach its duties with all that diffidence and solicitude, which its high importance, responsibility, and difficulty, necessarily impose.

Having taken the oaths required, faithfully to discharge the duties of Chief Magistrate of the Commonwealth of Pennsylvania, it only remains to assure you, that I enter upon their performance, *with purity of motive and intention, and an unalterable determination to devote every faculty of my mind, to the promotion of the Freedom, Honor, and Happiness of our Country.*

I should do violence to my feelings, did I not embrace this earliest opportunity of tendering to my Fellow-citizens, the sincere, though faint expression of the gratitude which animates my heart, in return for the Confidence which so large a portion of them have so strongly manifested towards me, by their votes at the late General Election. These feelings, super-added to the solemn obligation of the oaths I have taken, will be ever present, and shall at all times influence my conduct.

With the happiness and prosperity of Pennsylvania as my object, the Constitution of the Commonwealth as my polar star, your wisdom and patriotism as my guides, and the confidence and affectionate attachment of our Constituents as my supporters; and a firm reliance on Divine Providence; I hope so to discharge the duties of the Station, as to express a proper sense

of the distinguished honor which has been conferred on me.

FELLOW-CITIZENS,

In entering upon my public duties, I feel that I ought to rely much upon the wisdom, patriotism, and information of the Representatives of the People. I solicit your friendly aid, and shall esteem it a pure source of gratification, if I shall be so fortunate as to have, through my administration, a perfect good understanding and harmonious intercourse with the Legislature of the State. These are circumstances at all times greatly to be desired: But, in a national crisis, like the present, when all that is dear and precious to the United States is threatened, by the violence and aggressions of foreign Powers; it is peculiarly and eminently the duty of all the constituted Authorities, to act in support of the just and honorable measures adopted by the Federal Government; as if animated by one heart; one spirit, and one determination. The happy influence of such an accordance of opinion and action, is not bounded by our Country, but beneficially extends itself, wherever American politics can interest, or American interests be affected.

In future Communications, it shall be my pleasure, as it will be my duty, to submit to the consideration of the Legislature, such measures as an honest and ardent desire, to promote the public prosperity, shall suggest.

Accept, Fellow-citizens, for yourselves and your Constituents, my best wishes for your welfare and happiness, public and private.

SIMON SNYDER.

*Lancaster, Dec. 20, 1808.*

Ordered to lie upon the table.

Mr. Sommer presented the petition of Margaret M'Clellan, praying for an Act to divorce her from the bonds of matrimony with her Husband, John M'Clellan; which was read, and

Laid upon the table.

Mr. Weaver, from the Committee to whom was referred, on the 17th inst. the second item of the Report on unfinished Business, to wit; "the petition of

Abraham Faith;" on leave now given, reported the Bill, entitled, "*An Act granting to Abraham Faith the Depreciation of his Pay, as a Soldier;*" which was read the first time.

Mr. Roberts, from the Committee to whom was, yesterday, referred the Bill, entitled, "*An Act supplementary to an Act, entitled, An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts, and accomplish the Object of their Association; and 2000 Dollars, for erecting a Schoolhouse, near Summonytown, in Montgomery County;*" reported the said Bill, without amendment, which was read, as reported.

Whereupon,

On motion of Mr. Roberts and Mr. Sommer, and by special order,

The said Bill was again read, considered by Section, and agreed to.

The Preamble and Title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

Mr. Lacock, from the Committee to whom was referred, on the 15th instant, the petition of the Subscribers thereto inhabitants of Beaver county, on leave then given, reported the Bill, entitled, "*An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie, so far as the same lies in Beaver and Mercer Counties;*" which was read the first time.

The Deputy-secretary of the Commonwealth presented a message from the Governor, which was read, as follows, *to wit*:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

It is proper to inform you, that I have this day appointed and commissioned Nathaniel B. Boileau, to be Secretary of the Commonwealth, agreeably to the 15th Section of the 2d Article of the Constitution.

SIMON SNYDER.

*Lancaster, Dec. 20, 1808.*

Agreeably to order,

The Resolution instructing our Senators in Congress, &c. to procure information on the state of public defence, was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole (Mr. Brady in the Chair) for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

On motion,

The order of the day, for the further consideration of the Resolution, requiring the Governor to furnish to the Legislature information on the state of public arms, &c. the property of this Commonwealth, was discharged, and the said Resolution postponed for the present.

Moved by Mr. Mitchell and Mr. Roberts,

That the second reading, and further consideration, of the Resolution, respecting the Removal of the Seat of Government, be the order of the day for tomorrow.

Mr. Lacock and Mr. Hiestler mentioned this day two weeks.

Mr. Dorsey and Mr. Heston, the second Tuesday in January.

Agreeably to a rule of Senate, the question was first taken on the last motion, and determined in the negative.

Whereupon,

The question, on this day two weeks, being put, was determined in the affirmative.

Adjourned, till 11 o'clock tomorrow morning.

—:O:~:O:—

Thursday, December 22, 1808.

Mr. Mitchell, from the Committee appointed for that purpose, reported the Bill, entitled, "*An Act for the Relief of Thomas Campbell, of the County of York;*" which was read the first time.



The Bill, entitled, "*An Act supplementary to an Act, entitled, An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts, and accomplish the Object of their Association; and 2000 Dollars, for erecting a Schoolhouse near Summonytown, in Montgomery County,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Resolutions, approbatory of the measures of the General Government were read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole (Mr. Wayne in the chair) for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Resolutions, with amendments; which were read, as reported.

Thereupon,

On motion of Mr. Lacock and Mr. Roberts,

The said Resolutions were read the second time, as reported by Committee of the Whole; and, being under consideration, the Yeas and Nays, on adopting the same, were required by Mr. Lacock and Mr. Weaver; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Blocher,  
Brady,  
Borrows,  
Doty,  
Grefs,  
Hiester,  
Irish,  
Lacock,  
Laird,  
Lattimore,

## YEAS.

Messrs. Mayer,  
M'Arthur,  
Mitchell,  
Palmer,  
Rahm,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 20.

NAYS.

Messrs. Campbell,  
Miller,  
Preston,

NAYS.

Messrs. Slaymaker,  
Wayne. 5.

Twenty Yeas, and five Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the Resolutions be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested. Which amendments are:

In the 3d Resolution, line 16, strike out, "*we will at all times;*" and insert "*should those pacific measures not produce the desired effect, we are firmly determined to*"

From the Preamble strike out, "but it is especially the duty of the Representatives of the People, when convened, to express the feelings, principles, and determinations of their Constituents."

The other amendments are merely verbal.

Mr. Wayne read in his place the following dissent of the minority to the passing of the said Resolutions, and, on leave given, presented the same to the Chair, *to wit*:

We, the undersigned, Members of the Senate, dissent from the Resolutions approving of the measures of the General Government, relative to the Embargo; Because,

We do not feel ourselves bound to express an unlimited confidence in the wisdom, the patriotism, and the integrity of any Administration of the General Government; nor do we believe ourselves justifiable, as Representatives of the People, in eulogizing measures, about which there is a great diversity of opinion.

We are not possessed of sufficient light, to see the wisdom of the policy that dictated the Embargo, as a measure calculated to induce foreign Nations to an observance of our national Rights, without resorting to the desolations of War; nor do we consider a temporary abandonment of essential national Rights, by any means tending to promote the general welfare, or to maintain our national honor. We will never consent to surrender a single Right belonging to us,

as a free and independent People; but will, at all times, co-operate with the Administration, to the utmost extent of our power, in resisting encroachments, insult, and oppression, from every foreign Power.

THOMAS CAMPBELL,  
WILLIAM MILLER,  
JONAS PRESTON,  
AMOS SLAYMAKER,  
ISAAC WAYNE.

On motion,

The further consideration, in Committee of the Whole, of the Resolution instructing our Senators in Congress, &c. to procure information on the state of public defence, was postponed for the present.

Adjourned, till 11 o'clock tomorrow morning.



Friday, December 23, 1808.

Mr. Irish presented the petition of the Minister, Churchwardens, and Vestrymen of Trinity Church, in Pittsburg, praying that they may be enabled to raise, by way of Lottery, the sum of 4000 dollars, to enable them to pay the Debts arising from the building the said Church, and to finish the same; and the said petition was twice read, and referred to Mr. Irish, Mr. Wayne, and Mr. Mayer, to consider and report thereon.

The Clerk of the House of Representatives presented, for signature, the Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Promotion of the Cultivation of Vines, to pay their Debts, and accomplish the Objects of their Association; and 2000 Dollars, for erecting a Schoolhouse near Summerytown, in Montgomery County.'*"

And the "*Resolution for the Distribution of certain Laws, of the United States.*"

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the "*Resolutions approbating the Measures of the General Government.*"

And he presented an extract from the Journal of the House of Representatives.

The Speaker signed the Bill and Resolution presented for Signature.

The extract from the Journal of the House of Representatives was read, as follows, *to wit* :

*"In the House of Representatives.*

*Dec. 23, 1808.*

*"Resolved, That a Committee be appointed, to unite with a Committee of the Senate, if the Senate shall appoint such a Committee, to burn the several emissions of Paper Money, belonging to the different States, received into the Treasury of the State at too late a period to have it exchanged; and which has become useless, and mostly barred by Acts of Limitation, and now remain in possession of the Treasurer. And,*

*"Ordered, That Messrs. Ogle, Odenheimer, and Mitchell be said Committee."*

Moved by Mr. Weaver and Mr. Roberts,

That a Committee be appointed, to join the Committee of the House of Representatives, for the purpose expressed in the said extract.

Whereupon,

On motion of Mr. Wayne and Mr. Borrows,

The further consideration of the subject was postponed for the present.

Mr. Laird, from the Committee appointed for that purpose, made report, That, in conjunction with the Committee of the House of Representatives, they had compared, and presented to the Governor for his approbation, the Bill, entitled, "*An Act supplementary to an Act, entitled, An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts, and accomplish the Objects of their Association; and 2000 Dollars, for erecting a Schoolhouse near Sommytown, in Montgomery County;*" and, two Resolutions, *to wit* :

“ The Resolution for the Distribution of certain Laws of the United States.

“ The Resolution approbatory of the Measures of the General Government.”

On motion of Mr. Brady and Mr. Udree,

*Agreed*, That, when Senate adjourn, the adjournment be till half after 4 o'clock in the afternoon of the day to which, by Joint Resolution, the two Houses have agreed to adjourn.

Whereupon,

Adjourned till half past 4 o'clock in the afternoon, of the 2d of January next.



Monday, January 2, 1809.

IN THE AFTERNOON.

Mr. Weaver presented two petitions, of a similar tenor, from a number of the inhabitants of Greene county, stating that, as the county is small, and the business in the Courts of Law not so great, as to render it necessary to hold four Courts yearly; and as the expences are very considerable, besides the inconvenience to those who are under the necessity of attending them; they therefore pray, that the Courts of Quarter Sessions, and Common Pleas, for the county, may be held but three times in the year; and the said petitions were twice read, and referred to Mr. Weaver, Mr. Brady, and Mr. Erwin, to consider and report thereon.

Mr. Brady presented the petition of the Subscribers thereto, inhabitants of Hempfield township, Westmoreland county, stating that the Petitioners have built a Schoolhouse, on a small piece of vacant land, in the said township and county, containing about 14 acres; and praying that the Officers of the Land-office may be authorised and directed, by Law, to grant a Warrant and confirm Title to the said land, in certain persons, and their successors, as Trustees, for the use of the said School, free of office-fees, and purchase money. And the said petition was twice read, and referred to

Mr. Brady, Mr. Lattimore, and Mr. Laird, to consider and report thereon.

Mr. Lacock presented the petition of Arthur Eckles, stating that he voluntarily entered the service of his Country, in the year 1775; that he was in several skirmishes and engagements with the British, during three years and upwards; after which, he went upon two expeditions against the Indians. For all which services he received but little pay, and that in depreciated currency. That he is now advanced in years, and afflicted with infirmities, which have been increased by an accident he met with near the close of the American War. He therefore prays legislative assistance. And the said petition was twice read, and referred to the Committee to whom had been referred, on the 13th of last month, the petitions of Nicholas Blake and others, to consider and report thereon.

The Speaker laid before the Senate a letter from the Register-general, inclosing a list of the Certificates of unfunded debt, issued and redeemed within the year 1808; a statement of the expenditure of the appropriation for Clerkhire, in the office of the Register-general; and a detailed account of the disbursements, for the contingent expences of the said office, from January 1, 1808, to January 1, 1809. And the said letter and documents were read, and

Laid upon the table.

The following is an abstract of the said documents:

The amount of appropriation, for the redemption of unfunded Certificates,	D. C.
	600
The amount of unfunded debt Certificates, issued and redeemed,	415 66
Issued in July, 1807, and redeemed in 1808,	27 43
	<hr/> 443 9
Leaving a balance, unexpended, of	<hr/> 156 91

By the Register-general's report to  
Senate, January 1, 1808, there  
was then an unexpended ba-  
lance, of the appropriation for  
Clerkhire, of

D. C.

The permanent appropriation is

368 66

The extra appropriation for 1 year,  
per Act of March 28, 1808,

866 66

600

---

 1835 32

Of which there has been paid, to

R. M. Crain,

715 33

To G. Weaver,

740 33

---

 1455 66
 

---

Leaving a balance, to compensate

Clerks till the 1st of April next,

379 66

The amount of the disbursements, for the contin-  
gent expences of the Register-general's office, from  
January 1, 1808, to January 1, 1809, including of-  
fice-rent, &c. 240 dollars and 84 cents.

On motion of Mr. Wayne and Mr. Roberts,

Eleven o'clock in the morning was continued, as the  
hour of the meeting of the Senate, until otherwise di-  
rected.

Adjourned, till 11 o'clock tomorrow morning.

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Tuesday, January 3, 1809.

Mr. Borrows presented the petition of William  
M'Murray, now an inhabitant of Centre county,  
stating that he served his Country, during the revolu-  
tionary War with Greatbritain, as a Sergeant, in the  
first regiment of Pennsylvania Riflemen; in which  
capacity he was wounded, at the battle of Paoli, and  
was discharged the service, on account of rheumatic  
pains and deafness, occasioned by hardships which he  
endured in the army. That he afterwards (his health  
being somewhat repaired) entered as a Marine on board  
the armed ship South-carolina; in which he was taken

prisoner, and confined in the prison-ship called the Old Jersey; where, in common with many others, he suffered very severe hardships; the effects of which, together with old age, have rendered him unable to support himself and a large family: He therefore prays the Legislature to grant him an annuity, or some other relief. And the said petition was twice read, and referred to the Committee to whom had been referred, on the 13th of last month, the petitions of Nicholas Blake and others, to consider and report thereon.

Mr. Weaver presented the petition of William Mitchell, of Bucks county, stating that, at the last Session of the Legislature, a Bill in his favor was postponed, by the Senate, for want of further information, which he hoped it would be in his power to obtain from England, previously to the present Session; but, owing to the circumstances of the times, his hopes have not been realized. He hath, however, obtained information which was not in his possession last year; and which he trusts will be satisfactory. And the said petition was twice read, and referred to Mr. Weaver, Mr. Roberts, Mr. Bright, Mr. Brady, and Mr. Lacock, to consider and report thereon.

The Speaker laid before the Senate a Report, from the Secretary of the Land-office, exhibiting a detailed statement of the expences of that office, for the last year; which was read, and

Laid upon the table.

From this Report, it appears, that the extra appropriation of 1000 dollars, for Clerkhire in that office, hath been distributed as follow, *to wit* :

To DAVID REYNER,	400	Dolls. per annum.
JOSEPH ELLICOTT,	400	
EPHRAIM MORTON,	136	
GEORGE WORRAL	64	

—1000

And that the expenditures for the incidental expences of the office, including stationary, office-rent, postage, &c. for the last year, amounted to 674 dollars and 15 cents.

Adjourned, till 11 o'clock tomorrow morning.



Wednesday, January 4, 1809.

Mr. Laird presented the petition of several inhabitants of Northumberland county, proposing the town of Northumberland, in the said county, as an eligible place for the Permanent Seat of Government; and the said petition was twice read, and referred to Mr. Laird, Mr. Heston, Mr. Lacock, Mr. Mitchell, and Mr. Hiefter.

Agreeably to order,

The Resolution, relative to the fixing the Permanent Seat of Government, read on the 15th of last month, was again read; and,

On motion of Mr. Mitchell and Mr. Weaver,

Referred to the Committee, to whom was referred the petition from Northumberland county on that subject.

The Secretary of the Commonwealth presented a message from the Governor, which was read, as follows, *to wit*:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts and Resolutions of the General Assembly, and directed the Secretary to return them to the House of Representatives, in which they originated:

1. An Act supplementary to an Act, entitled, "An Act to raise, by Way of Lottery, the Sum of 7000 Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts, and accomplish the Objects of their Association; and 2000 Dollars, for erecting a Schoolhouse near Sommonytown, in the County of Montgomery."

2. Resolution, directing the mode of distributing the Laws of the United States, passed at the second Session of the Ninth Congress, and the succeeding Laws of Congress, which may become the property of this State.

3. Resolution approbating the measures of the General Government, in their endeavors to preserve peace with foreign Nations; and expressive of a determina-

tion to support the Government, in the maintenance of our national rights.

SIMON SNYDER.

*Lancaster, Dec. 24, 1808.*

The Clerk of the House of Representatives presented, for concurrence the Bill, entitled, "*An Act authorising Thomas M'Kean Thompson to sell and convey, in Fee Simple, a certain Interest in a Tract of Donation-land therein mentioned;*" which was read the first time.

Adjourned, till 11 o'clock tomorrow morning.



Thursday, January 5, 1809.

Mr. Preston presented the petition of the Subscribers thereto, Legatees and Heirs of the estate of Edward Woodward, late of the township of Middletown, in the county of Delaware; and also the Guardians of the minor Daughters of the said deceased; stating that a plantation, containing about 80 acres, was bequeathed to his five Daughters, by the said Woodward, to be equally divided amongst them. That the said property does not produce more than two per cent on what the Petitioners deem its real value; and will yearly become less productive, by reason of the decay of the buildings. That, as three of the Daughters are minors, a sale of the said estate cannot be effected, without the interference of the Legislature. They therefore pray to be enabled to make sale thereof. And the said petition was twice read, and referred to Mr. Preston, Mr. Bright, and Mr. Stevenson, to consider and report thereon.

The Speaker laid before the Senate a letter from William Findlay, State Treasurer, communicating a detailed statement of the contingent expences of the Treasury-office, during the last year (amounting to 262 dollars and 56 cents) and soliciting a reappointment; and the same were severally read, and

Laid upon the table.

Mr. Lacock, from the Committee to whom were referred, on the 13th and 17th of last month, the pe-

titions of Joshua Bear, and William Wilton, on leave now given, reported the Bill, entitled, "*An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned;*" which was read the first time.

The Secretary of the Commonwealth presented a message from the Governor, which was read, as follows, *to wit* :

*To the Senate, and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I send you enclosed a copy of the resignation of Samuel Maclay, Esquire, of his seat in the Senate of the United States, presented to me this day. To you, Gentlemen, it pertains to supply the vacancy in the Senate of the United States, agreeably to the Laws of this Commonwealth, in such case made and provided.

SIMON SNYDER.

*Lancaster, Jan. 4, 1809.*

*Lancaster, Jan. 4, 1809.*

SIR,

In discharge of the duties which devolved on me, in consequence of my election, by the Legislature of the State, I have differed in opinion with a majority of those with whom I had the honor of acting, in the Senate of the United States; and, it appears, with the Legislature of Pennsylvania. It therefore becomes my duty, to give them an opportunity of electing a Man, who will act in conformity to their wishes, in the Councils of the Nation. I therefore beg leave to resign my seat in the Senate of the United States.

I am, Sir, with due regard,  
Your Excellency's obedient  
Humble Servant.

S. MACLAY.

*His Excellency* SIMON SNYDER, Esq.

*Governor of Pennsylvania.*

On motion of Mr. Lacock and Mr. Heston,

The Senate proceeded to the nomination of Candidates, to supply the vacancy occasioned by the said resignation.

Whereupon,

<i>Mr. Weaver</i>	nominated	<i>Michael Leib.</i>
<i>Mr. Lacock,</i>		<i>John D. Coxe.</i>
<i>Mr. Roberts,</i>		<i>Thomas Leiper.</i>
<i>Mr. Preston,</i>		<i>Joseph Hemphill.</i>
<i>Mr. Sommer,</i>		<i>William Jones.</i>

And Mr. Preston was appointed Teller, to officiate, on the part of the Senate, at the election of Senator.

On motion of Mr. Roberts and Mr. Doty,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That a Committee be appointed, to meet a Committee of the House of Representatives, to fix upon the time for choosing a Senator, to represent this State in the Senate of the United States, in the room of Samuel Maclay, resigned, agreeably to the provisions of the Act, entitled, "*An Act to prescribe the Times, Places, and Manner of choosing Senators, to represent this State in the Senate of the United States; and make report.*"

*Ordered*, That Mr. Roberts, Mr. Doty, and Mr. Wayne be the Committee. And, that the Clerk acquaint the House of Representatives accordingly.

On leave given, Mr Roberts read a Bill, in his place, and, by permission, presented the same to the Chair, entitled, "*An Act to enable the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, near the Schuylkill Permanent Bridge, through Darby and Chester, to the Delaware State Line;*" which was read the first time.

Agreeably to order,

The Bill, entitled, "*An Act to enable the Administrators of Henry Lennox Sheppard, late of the County of Westmoreland, deceased, to convey Certain Lots of Ground to the Purchasers thereof;*" was read the second time.

Whereupon,

The Senate resolved itself into a Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

On motion of Mr. Brady and Mr. Lacock,

The said Bill was read the second time, as reported by Committee of the Whole, considered by Section, and agreed to.

The Preamble and Title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented three several extracts from the Journal of that House; and, for concurrence, the Bill, entitled, "*An Act granting a Tract of Donation-land to Michael Sechler, a Soldier in the late War;*" which was read the first time.

The extracts from the Journal of the House of Representatives were severally read as follow, viz.

*"In the House of Representatives.*

*Jan. 4, 1809.*

"On motion of Mr. Ogle, seconded by Mr. Gordon,

"The House proceeded to the nomination of Candidates, to supply the vacancy occasioned, in the Senate of the United States, by the resignation of Samuel Maclay.

Whereupon,

<i>Mr. Spangler</i>	nominated	<i>Michael Leib.</i>
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<i>Mr. Gordon,</i>		<i>William Jones.</i>
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<i>Mr. O'Brien,</i>		<i>Chandler Price.</i>
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<i>Mr. Trevor,</i>		<i>Thomas Leiper.</i>
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<i>Mr. Darlington,</i>		<i>George Lattimore.</i>
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*"In the House of Representatives.*

*Jan. 5, 1809.*

"On motion of Mr. Bucher, seconded by Mr. Wallace,

"Mr. Piper was appointed Teller, on the part of this House, to officiate at the election of a Senator, to supply the vacancy occasioned by the resignation of Samuel Maclay, in the Senate of the United States."

*"In the House of Representatives.*

*Jan. 5, 1809.*

"*Resolved*, That a Committee be appointed, to meet a Committee of the Senate to fix upon the time for choosing a Senator, to represent this State in the

Senate of the United States, in the room of Samuel Maclay, resigned, agreeably to the provisions of the Act, entitled, "*An Act to prescribe the Times, Places, and Manner, of choosing Senators, to represent this State in the Senate of the United States;*" and make report. And,

"Ordered, That Messrs. M'Clure, Shearer, and Wallace be the Committee."

Agreeably to order,

The Bill, entitled, "*An Act granting to Abraham Faith the Depreciation of his Pay, as a Soldier,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Western Missionary Society,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time spent therein,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

Adjourned, till 11 o'clock tomorrow morning.



Friday, January 6, 1809.

Mr. Weaver, from the Committee to whom was referred, on the 17th of last month, the 7th item of the report of unfinished Business, viz. "The Reform of Public Offices," on leave now given, reported, in part, the Bill, entitled, "*An Act to abolish the Office of Comptroller-general, and for other Purposes;*" which was read the first time.

Mr. Roberts, from the Committee to whom was referred, on the 13th of last month, the petition of the Subscribers thereto, inhabitants of the counties of Philadelphia and Montgomery, on leave now given, reported the Bill, entitled, "*An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock, in the County of Philadelphia;*" which was read the first time.

Mr. Rahm. laid before the Senate the Proposals of the Commissioners of Dauphin county; also, of Abraham Huy, Christian Kunckle, and William Maclay; to induce the Legislature to remove the Seat of Government to Harrisburg.

The Commissioners offer the Courthouse of the said county, together with four large rooms attached thereto, for the use of the Legislature, until suitable Buildings can be erected.

Abraham Huy offers 150 acres of land, situate about a mile above Harrisburg, for one hundred dollars per acre.

Christian Kunckle offers 213 acres of land, adjoining the foregoing, at 120 dollars per acre.

William Maclay offers to lay out 100 lots of ground, or more, if necessary, adjoining the town of Harrisburg.

And the said Proposals were severally read, and referred to the Committee appointed on the subject of the Removal of the Seat of Government.

The Bill, entitled, "*An Act to enable the Administrators of Henry Lennox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information, that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to incorporate the Western Missionary Society,*" was read the second time, as re-

ported by Committee of the Whole, considered by Section, and agreed to.

The Title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act authorising the Governor to appoint an Auctioneer, for the District of Southwork and the Townships of Moyamensing and Passyunk;*" and the "Resolution for the Distribution of certain Laws of the Commonwealth;" which were read the first time.

Agreeably to order,

The Bill, entitled, "*An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie, so far as the same lies in Beaver and Mercer Counties,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again, on Monday next.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act granting to Abraham Faith the Depreciation of his Pay, as a Soldier,*" was postponed for the present.

On motion of Mr. Mitchell and Mr. Lacock,

The following Resolution was twice read, considered, and adopted:

*Resolved*, That the Clerk of Senate procure, for the use of Senate, one copy of the late edition of Howell's Map of Pennsylvania; one copy of Bradley's Map of the United States; and one copy of the latest and most approved Maps of Europe.

On motion of Mr. Laird and Mr. Lacock,

The following Resolution was twice read, considered, and adopted, *viz.*



*Resolved*, That a Committee be appointed, to consider and report a mode of carrying into effect Section 9, of Article 1, of the Constitution of this Commonwealth, relative to the classification of the Senators returned under the last Enumeration.

*Ordered*, That Mr. Laird, Mr. Mitchell, and Mr. Brady be the Committee.

Adjourned, till 11 o'clock tomorrow morning.



Saturday, January 7, 1809.

Mr. Roberts, from the Committee appointed for that purpose, made the following report:

The Committee appointed, on the 5th of this month, to meet a Committee of the House of Representatives, to fix the time for choosing a Senator, to represent this State in the Senate of the United States, in the room of Samuel Maclay, resigned, report;

That they have performed the service, and have jointly agreed to recommend to their respective Houses Monday, the 9th day of this instant, at the hour of 12.

Whereupon,

On motion, and by special order,

The said report was again read, considered, and adopted.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

Mr. Weaver, from the Committee to whom was referred the 7th item of the report of unfinished Business, viz. "The Reform of Public Offices," on leave now given, made final report, by a Bill, entitled, "*An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes*;" which was read the first time.

Mr. Roberts, from the Committee to whom was referred, on the 20th of last month, the report of the Secretary of the Land-office on the state of his

office, on leave now given, reported the Bill, entitled, "*An Act to regulate the Issuing of Patents for Donation-land;*" which was read the first time.

On motion,

*Ordered*, That Mr. Doty be the Teller, to officiate on the part of the Senate, at the election of State Treasurer, on Tuesday next; and that the Clerk inform the House of Representatives thereof.

The Clerk of the House of Representatives presented two several extracts, from the Journal of that House, which were read, as follow, *viz.*

*"In the House of Representatives.*

*Jan. 7, 1809.*

"On motion,

*"Ordered*, That Mr. Moore be appointed Teller, on the part of the House of Representatives, to officiate at the election of State Treasurer, on Tuesday next."

*"In the House of Representatives.*

*Jan. 7, 1809.*

"The report of the Committee, appointed to meet a Committee of Senate, to fix the time of choosing a Senator in the Senate of the United States, in the room of Samuel Maclay, resigned, was twice read, considered, and adopted."

The Bill, entitled, "*An Act to incorporate the Western Missionary Society,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act authorising Thomas M'Kean Thompson to sell and convey, in Fee Simple, a certain Interest in a Tract of Donation-land, therein mentioned,*" was read the second time, considered by Section, and agreed to.

*Ordered*, That it be prepared for the third reading.

Adjourned, till 11 o'clock Monday morning.

Monday, January 9, 1809.

Mr. Miller, presented the petition of Alexander Russell, stating that he served his Country in the late revolutionary War, in the several capacities of Ensign, First and Second Lieutenants, in the 7th Pennsylvania Regiment; for which service he did not receive any clothing, depreciation of pay, or other adequate compensation: He therefore prays relief. And the said petition was twice read, and referred to Mr. Miller, Mr. Brady, and Mr. Weaver, to consider and report thereon.

Mr. Dorsey presented the memorial of the Board of Health, stating that the Lazaretto, and City Hospitals, which are occupied under the direction of the Board, for securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, have lately been assessed, in common with the estates of individuals, and a demand of upwards of fifty dollars made for the taxes of the present year: The Board therefore pray, that the Lazaretto and City Hospitals may be exempted from taxation. And the said memorial was twice read, and referred to Mr. Dorsey, Mr. Mitchell, Mr. Bright, Mr. Stevenson, and Mr. Preston, to consider and report thereon.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act for the Relief of Casper Shaffner*;" which was read the first time.

The Bill, entitled, "*An Act authorising Thomas M'Kean Thompson, to sell and convey, in Fee Simple, a certain Interest in a Tract of Donation-land, therein mentioned*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make*

*and execute certain Titles to Land therein mentioned,"* was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie, so far as the same lies in Beaver and Mercer Counties,*" was postponed for the present.

The Bill, entitled, "*An Act authorising the Governor to appoint an Auctioneer, for the District of Southwark, and the Townships of Moyamensing and Passyunk,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Monday, the 23d of this month.

A Committee of the House of Representatives, being introduced, informed the Senate, that the chamber of the House of Representatives "is now ready to receive the Members of the Senate, for the purpose of proceeding to the election of a Senator, to represent this State in the Senate of the United States, in the place of Samuel Maclay, resigned."

Whereupon,

On motion of Mr. Weaver and Mr. Mitchell,  
 The Senate proceeded to the chamber of the House of Representatives.

And, after some time,

Returned to their own chamber; when  
 Mr. Preston, Teller on the part of the Senate, made the following report:

That, at a meeting of the Members of the two Houses, in the chamber of the House of Representatives, an election was held, agreeably to Law, for the

purpose of choosing a Senator of the United States, to supply the vacancy occasioned by the resignation of Samuel Maclay ; and, on counting the votes, it appeared that Michael Leib, of the county of Philadelphia, was duly elected.

The following is a state of the poll :

Messrs. Lane (Speaker) Blocher, Borrows, Bright, Dorsey, Doty, Grefs, Heston, Hiester, Irish, Lacock, Laird, Lattimore, M'Arthur, Mitchell, Palmer, Rahm, Rankin, Roberts, Stevenson, Udree, and Weaver, of the Senate ; and

Messrs. Albright, Banks, Brown, Bucher, Colmery, Dale, Davis, Dechert, Dingman, Dysart, F. Evans, Grafius, Griffin, Gros', Hanna, Herrington, Humphreys, Hyneman, Jordan, Lawrence, Machan, Maclay, M'Call, M'Clure, A. M'Farland, J. M'Farland, Mechling, Mitchell, Montgomery, Moore, Murray, Nace, Newhard, O'Brien, Odenheimer, Ogle, Orr, Patterson, Pearson, Pepfer, Phillips, Piper, Ralston, Rankin, Rhoads, Rupert, Satterlee, Shearer, Sheetz, Shulze, Sloan, I. Smith, R. Smith, Snyder, Spangler, Starne, Starrett, C. Tarr, G. Tarr, Tod, Trevor, Wallace, Weber, Weifs, Wilson, Weygandt, and Engle (Speaker) of the House of Representatives ; voted for Michael Leib.

Messrs. Erwin and Wayne, of the Senate ; and

Messrs. Bethel, Bull, Darlington, Dorrance, Funk, Hulme, Kelton, Maxwell, Miner, and C. Smith, of the House of Representatives ; voted for George Lattimore.

Messrs. Miller, Preston, and Slaymaker, of the Senate ; and

Messrs. Baily, Gettys, Gish, Kimmel, M'Sherry, Ramsey, T. Smith, and Trimble, of the House of Representatives ; voted for Joseph Hemphill.

Messrs. Brady and Sommer, of the Senate ; and

Messrs. Gordon and M'Nair, of the House of Representatives ; voted for William Jones.

Mr. Mayer, of the Senate ; and

Messrs. G. Evans, J. Evans, and Leib, of the House of Representatives ; voted for John D. Cox.

So it appeared that	MICHAEL LEIB	had	89	votes.
	GEORGE LATTIMORE,		12	
	JOSEPH HEMPHILL,		11	
	JOHN D. COXE,		4	
	WILLIAM JONES,		4	

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Total 120

The Teller further reported,

That four several certificates of said election were signed by the Speaker of the Senate, as President of the Joint Meeting of the Members of both Houses; two of which were retained by the Clerk of the Senate; one of which to be transmitted to the President of the Senate of the United States; the other to be transmitted to the person elected; the 3d was delivered to the Clerk of the House of Representatives, to be entered on the Journal of that House; and the 4th is now presented to Senate, to be preserved among the records thereof, and entered upon their Journal.

The certificate was read as follows, *viz.*

I do hereby certify, that the Members of the Senate and the Members of the House of Representatives, of the General Assembly of the Commonwealth of Pennsylvania, having assembled in the Representatives' chamber, in conformity to the Law, entitled, "*An Act to prescribe the Times, Places, and Manner of choosing Senators, to represent this State in the Senate of the United States,*" passed the 5th day of February, 1802, did, by a majority of votes of the Members present, choose Michael Leib, of the county of Philadelphia, to supply the vacancy occasioned by the Resignation of Samuel Maclay, Esq. in the Senate of the United States; and the said Michael Leib is hereby, accordingly, declared to be duly chosen a Senator, to represent the said Commonwealth in the Senate of the United States.

Witness my hand, this 9th day of January, 1809.

P. C. LANE, *President.*

*Attest.*

JONAS PRESTON, Teller on the part of the Senate.

WILLIAM PIPER, Teller on the part of the House of Representatives.

On motion of Mr. Roberts and Mr. Doty,  
*Agreed*, That, when Senate adjourn, the adjournment be till 10 o'clock tomorrow morning.

Whereupon,  
Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Tuesday, January 10, 1809.

Mr. Sommer, on leave given, read a Bill in his place, and, by permission, presented the same to the Chair, entitled, "*An Act supplementary to an Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned;*" which was read the first time.

On motion, and by special order,

The said Bill was read the second time, considered by section, and agreed to.

*Ordered*, That it be prepared for the third reading.

The Bill, entitled, "*An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

On motion, and by unanimous consent,

The Bill, entitled, "*An Act supplementary to an Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

On motion of Mr. Lacock and Mr. Mitchell,

The report of the Judges of the Supreme Court, read on the 19th of last month, was again read, and

referred to the Committee to whom was referred, on the 10th of last month, the 4th item of the report on the Governor's address.

The Clerk of the House of Representatives returned the Bill, entitled, "*An Act supplementary to an Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned;*" and informed that the House of Representatives have passed the same, without amendment.

And, after some time,

The Clerk of the House of Representatives presented the said Bill, for signature.

Whereupon,

The Speaker signed the same.

Mr. Laird, from the Committee appointed to compare Bills, and present them to the Governor, for approbation, made report;

That the Committee, in conjunction with the Committee of the House of Representatives, had this day presented to the Governor, for his approbation, the Bill, entitled, "*An Act supplementary to an Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned.*"

On motion of Mr. Wayne and Mr. Doty,  
The Senate adjourned, for half an hour.

#### SAME DAY.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Act of the General Assembly, and directed the Secretary to return the same to the House in which it originated.

"An Act supplementary to an Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned."

SIMON SNYDER.

Lancaster, Jan. 10, 1809.



The Speaker laid before the Senate, a letter from the Secretary of the Commonwealth, informing that he had transmitted to the House of Representatives, "sundry depositions, interrogatories, and cross-examinations," in the case of Edward D. Corfield, one of the Justices of the Peace for the county of Philadelphia; and the same was read, and

Laid upon the table.

The Clerk of the House of Representatives presented, for signature, the Bill, entitled, "*An Act to enable the Administrators of Henry Lennox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof.*"

Whereupon,

The Speaker signed the said Bill.

A Committee of the House of Representatives, being introduced, informed Senate, that the chamber of the House of Representatives "is now ready to receive the Senate, in order to go into a Joint Meeting, for the purpose of electing the State Treasurer for the ensuing year."

Whereupon,

The Senate proceeded to the chamber of the House of Representatives.

And, after some time,

Returned to their own chamber; when

Mr. Doty, Teller on behalf of the Senate, at the Election of State Treasurer, made report, as follows, *viz.*

That, at a meeting of the Members of the two Houses, held this day, agreeably to Law, in the chamber of the House of Representatives, for the purpose of choosing the State Treasurer, it appeared that William Findlay was unanimously re-elected—all the Members present, *viz.*

Messrs. Lane (Speaker) Blocher, Borrows, Brady, Bright, Dorsey, Doty, Erwin, Grefs, Helton, Hiestler, Irish, Lacock, Laird, Lattimore, Mayer, M'Arthur, Miller, Mitchell, Palmer, Preston, Rahm, Rankin, Roberts, Slaymaker, Sommer, Stevenson, Udree, Wayne, and Weaver, of the Senate; and

Messrs. Albright, Baily, Banks, Bethel, Brown, Bucher, Bull, Dale, Darlington, Davis, Dechert, Ding-

man, Dorrance, Dylart, F. Evans, G. Evans, J. Evans, Funk, Gettys, Gisch, Gordon, Grafius, Griffen, Gros, Hanna, Herrington, Hulme, Humphreys, Hyneman, Jordan, Kelton, Kimmel, Lawrence, Leiby, Lowry, Machan, Maclay, Maxwell, M'Call, M'Clure, A. M'Farland, J. M'Farland, M'Nair, M'Sherry, Mechling, Miner, Mitchell, Montgomery, Moore, Murray, Nace, Newhard, O'Brien, Odenheimer, Orr, Patterson, Pearson, Pepfer, Phillips, Piper, Ralston, Ramsey, Rankin, Rhoads, Rupert, Satterlee, Schneider, Shearer, Sheetz, Shulze, Sloan, C. Smith, I. Smith, R. Smith, T. Smith, Spangler, Starne, C. Tarr, G. Tarr, Thompson, Tod, Trevor, Trimble, Wallace, Weber, Weifs, Wilson, Weygandt, and Engle (Speaker) of the House of Representatives—voting for William Findlay.

And that duplicate certificates of the said Election had been made out, and signed by the Speaker of the House of Representatives, as President of the Joint Meeting, according to Law.

*Attest.*

EZRA DOTY, Teller on the part of the Senate.

ARTHUR MOORE, Teller on the part of the House of Representatives.

Adjourned, till 11 o'clock tomorrow morning.



Wednesday, January 11, 1809.

Mr. Lacock, from the Committee to whom was referred, on the 13th of last month, the petition of the Commissioners of Beaver county, on leave now given, reported the Bill, entitled, "*An Act to alter and amend the Act, entitled, An Act to direct the Mode of selling unseated Lands, for Taxes;*" which was read the first time.

Mr. Preston, from the Committee to whom was referred, on the 5th of this month, the Petition of the subscribers, Heirs and Legatees of Edward Woodward, deceased, on leave now given, reported the Bill, entitled, "*An Act for the Benefit of the Heirs of Edward Woodward, deceased;*" which was read the first time.

Mr. Laird, from the Committee to whom were referred, on the 4th and 6th of this month, the petition of the subscribers thereto, of the town of Northumberland; the Resolution respecting the Removal of the Seat of Government; and the several proposals from Harrisburg, on the same subject; made the following report:

That the Committee have taken the subject into consideration, and are strongly impressed with the propriety and necessity of fixing, permanently, the Seat of Government, at some central and convenient place. The confined situation of the House now occupied by the Legislature, the insecurity of the public records and papers of the Commonwealth, and the scattered situation of the public offices, in the opinion of the Committee, are considerations which imperiously call for a Permanent Seat of Government; that buildings may be erected, without delay, for the accommodation of the Legislature, and fire-proof offices, for the preservation and security of the public records.

The Committee are well aware, that different interests may produce different opinions, as to the local situation to be agreed on for the above purpose: But they apprehend, that the consideration of private interest, ought not to be placed in competition with the more important and manly consideration, of general convenience.

The Committee are decidedly of opinion, that the Permanent Seat of Government, for this State, ought to be fixed at some convenient place on the Susquehanna river: And, among all the situations which have been proposed, for that purpose, they can conceive of no one which appears to combine so many advantages, as the town of Northumberland. This town is fortunately situated in the forks of the two navigable branches of the Susquehanna river, affording very excellent water, hitherto free from any epidemic disorder, and commanding a most beautiful prospect.

The intercourse, between this place and the western part of the State of Newyork, is already considerable, and daily increasing. The communication is easy, by water; and roads are made and making which will

render the intercourse, by land, very convenient, and the distance very inconsiderable: And, should the Seat of Government eventually be fixed at this place, it would naturally draw a very great portion of the produce and trade of that Country, which would ultimately centre in Philadelphia.

But a more powerful argument still, in favor of Northumberland, is, that it is nearer the local centre of the State, than any other place proposed: And not only so; but, from the rapid settlement of the vast bodies of fertile lands, to the north and west, this place must ultimately become the centre of population also. The Committee therefore offer the following Resolution:

*Resolved*, That a Committee be appointed to bring in a Bill, to fix the Permanent Seat of Government, for this State, at the town of Northumberland, in Northumberland county.

Ordered to lie on the table.

On motion of Mr. Lacock and Mr. Mitchell,  
The Senate adjourned, for half an hour.

#### SAME DAY..

The Clerk of the House of Representatives presented, for signature, the Bill, entitled, "*An Act authorising Thomas M'Kean Thompson to sell and convey, in Fee Simple, a certain Interest in a Tract of Donation-land.*"

Whereupon,

The Speaker signed the said Bill.

On motion of Mr. Lacock and Mr. Laird,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That a Committee be appointed to inquire, and report to the Senate, the propriety of further ameliorating the Penal Laws of this Commonwealth.

*Ordered*, That Mr. Lacock, Mr. Palmer, and Mr. Sommer be the Committee.

Mr. Laird, from the Committee appointed to compare Bills, and present them to the Governor for his approbation, made report;

That, in conjunction with the Committee of the House of Representatives, the Committee this day pre-

sented to the Governor, for his approbation, the Bill, entitled, "*An Act to enable the Administrators of Henry Lennox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof.*"

Adjourned, till 11 o'clock tomorrow morning.



Thursday, January 12, 1809.

Mr. Laird, from the Committee appointed, on the 19th of last month, to inquire and report the propriety of extending the powers of the Justices of the Peace, and Aldermen, to actions of trover, to the amount of ten dollars, on leave now given, reported the Bill, entitled, "*An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth;*" which was read the first time.

Mr. Dorsey, from the Committee to whom was referred, on the 14th of last month, the memorial of the Medical Professors of the University of Philadelphia, made the following report:

That the facts stated in the said memorial, of the injuries effected by persons in the medical practice, who are not qualified by the proper study or knowledge, or by having passed any proper examination, are unquestionable. And, inasmuch as that some of our sister States, sensible of the evils complained of, have passed Laws for the prevention of such practice; the Committee recommend the object of the memorialists to the attention of the Senate.

Ordered to lie upon the table.

Mr. Irish, from the Committee to whom was referred, on the 23d of last month, the Petition of the Minister, Churchwardens, and Vestrymen of Trinity Church, in Pittsburg, on leave now given, reported the Bill, entitled, "*An Act to raise, by Way of Lottery, a Sum not exceeding 4000 Dollars, for the Use and Benefit of the Minister, Churchwardens, and Vestrymen of Trinity Church, in Pittsburg;*" which was read the first time.

On motion, and by special order,

The report of the Committee, to whom was referred the memorial of the Medical Professors, was again read; and, being under consideration,

A motion was made by Mr. Lacock and Mr. Laird,

*Resolved*, That a Committee be appointed, to bring in a Bill to regulate the practice of Physic.

On which motion the Yeas and Nays were required, by Mr. Roberts and Mr. Heston; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Dorsey,  
Doty,  
Erwin,  
Grefs,  
Lacock,  
Laird,

## YEAS.

Messrs. Lattimore,  
Mayer,  
Miller,  
Palmer,  
Preston,  
Rankin,  
Slaymaker,  
Sommer,  
Wayne. 19.

## NAYS.

Messrs. Bright,  
Heston,  
Hiestler,  
Irish,  
M'Arthur,  
Mitchell,

## NAYS.

Messrs. Rahm,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 12.

Nineteen Yeas, and twelve Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That Mr. Lacock, Mr. Laird, Mr. Preston, Mr. Doty, and Mr. Palmer be the Committee for that purpose.

The Resolution, for the distribution of certain Laws of this Commonwealth, was read the second time; and, being under consideration,

A motion was made by Mr. Lacock and Mr. Roberts,

To amend the Resolution, by inserting a provision for the procuring 6 copies for the use of the Senate, and 12 copies for the use of the House of Representa-

tives; which was agreed to, and the Resolution, as amended, adopted.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Resolution, with an amendment (as above) in which the concurrence of that House is requested.

Adjourned till 11 o'clock tomorrow morning.

—:o:~:o:—

Friday, January 13, 1809.

Mr. Wayne presented the petition of Hugh Quay, of Chester county, stating that he enlisted, as a Sergeant, in Captain Culbertson's company, Colonel Montgomery's regiment, of Chester county Flying Camp; that, in November following, he was taken prisoner, at Fort Washington, on York Island; that, after suffering all the hardships which were incident to that time of severe struggle for Independence, he was permitted to go home, on parole, in a debilitated and suffering situation; that he received only three months pay, which he deems insufficient; and therefore prays relief. And the said petition was twice read, and referred to Mr. Wayne, Mr. Roberts, and Mr. Doty, to consider and report thereon.

Mr. Laird presented the petition of the subscribers thereto, President and Judges of the Court of Common Pleas, Grand Jury, Commissioners, and inhabitants of the county of Northumberland, stating certain defects in the Road-laws, and suggesting alterations; and the said petition was twice read, and referred to Mr. Laird, Mr. Rankin, Mr. Lattimore, Mr. Weaver, and Mr. Campbell, to consider and report thereon.

Mr. Campbell presented the petition of Frederick Rumell, of York county, praying for compensation for his servant, who enlisted in Col. Hartley's regiment, in the Pennsylvania line, in the late Revolution; and the said petition was twice read, and referred to Mr. Campbell, Mr. Heston, and Mr. Miller, to consider and report thereon.

Agreeably to order,

The Bill, entitled, "*An Act for the Relief of Casper Sbafter,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Secretary of the Commonwealth presented a message from the Governor, which, and the documents accompanying the same, were severally read, as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

Agreeably to a request of his Excellency Robert Wright, Esquire, Governor of the State of Maryland, I submit to the respective Houses, copies of a Resolution of the General Assembly of that State, on the subject of a proposed Amendment to the Constitution of the United States, relative to the manner of removing Senators of the United States from office; together with a copy of the Governor's letter.

SIMON SNYDER.

*Lancaster Jan. 13, 1809.*

COUNCIL CHAMBER.

*Annapolis, Dec. 27, 1808.*

SIR,

Enclosed you will receive a copy of a Resolution of the General Assembly of Maryland, which I am requested to transmit to you.

I have the honor to be,

With great consideration,

Your most obedient servant.

ROBERT WRIGHT.

*By the House of Delegates.*

*December 9, 1808.*

*Resolved,* That the alteration proposed to the Constitution of the United States, by a Resolution of the General Assembly of the State of Virginia, on the 9th



of February, 1808, so as "to render the Senators, in the Congress of the United States, removable from office by the vote of a majority of the whole number of the Members of the respective State Legislatures, by which the said Senators have been or may be appointed;" be, and the same is hereby, disapproved by the Legislature of this State; and that the Senators and Representatives in the Congress of the United States, from this State, be, and they are hereby, requested to oppose the said alteration. And the Governor of this State is hereby requested to transmit to each of the Senators and Representatives in Congress, from this State, a copy of this Resolution; and to the Executive of each State, a copy of the said Resolution; that the same may be submitted to the Legislatures of the several States, with a request to oppose the said Resolution.

*By Order.*

J. BREWER, *Clk.*

BY THE SENATE.

*Dec. 22, 1808.*

Read, and assented to.

*By Order.*

T. RODGERS, *Clk.*

TRUE COPY.

*Test.*

JOHN BREWER, *Clk. House of Delegates.*

Adjourned, till 11 o'clock tomorrow morning.



Saturday, January 14, 1809.

Mr. Brady, from the Committee to whom was referred, on the 2d of this month, the petition of the subscribers thereto, inhabitants of Hempfield township, Westmoreland county, on leave now given, reported the Bill, entitled, "*An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School;*" which was read the first time.

The Clerk of the House of Representatives informed the Senate, that the House of Representatives have

concurred in the amendments, by Senate, to the "Resolution for the distribution of certain Laws of this Commonwealth."

And he presented, for concurrence, the Bill, entitled, "*An Act authorising Jacob Kimmel and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands therein mentioned;*" which was read the first time.

On motion,

Mr. Sommer and Mr. Lacock were added to the Committee, appointed on the 10th of last month, on the 4th item of the report on the Governor's address, "relative to the Judiciary Establishment."

On motion of Mr. Lacock and Mr. Mitchell,

The following Resolution was twice read, considered, and adopted, *to wit* :

*Resolved*, That Senate will proceed on Tuesday, the 24th instant, to the election of Bank Directors for the Pennsylvania and Philadelphia Banks; and that it be the order of that day.

The Bill, entitled, "*An Act for the Relief of Casper Shaffner*," was read the second time, as reported by Committee of the Whole, yesterday.

The 1st and only section being under consideration,

After debate,

On motion of Mr. Roberts and Mr. Rahm,

The further consideration of said Bill was postponed, for the present.

The Secretary of the Commonwealth presented a message from the Governor (together with the documents therein referred to) which was read, as follows, *viz.*

*To The Senate and House of Representatives of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have directed the Secretary to lay before you a copy of a citation, enclosed to me as Governor of Pennsylvania, arising out of the case of Henry Miller vs. William Nichols. Also, copies of letters from J. B. M'Kean, late Attorney-general of this Commonwealth, and A. J. Dallas, the United States' Attor-

ney for the District of Pennsylvania; together with copies of other papers, touching the premises. This being a novel case, I submit to your wisdom, to direct such proceedings as you may deem most expedient. From those documents, you will perceive the propriety of an early attention to the subject.

SIMON SNYDER.

*Lancaster, Jan. 14, 1809.*

The Documents referred to in the said message were also read. And,

On motion of Mr. Lacock and Mr. Weaver, and by special order,

The said message and documents were again read, and referred to Mr. Weaver, Mr. Erwin, Mr. Lacock, Mr. Gress, and Mr. Sommer, to consider and report thereon.

The following is the letter of Joseph B. M'Kean, late Attorney-general, and his statement of the case, *to wit* :

*Philadelphia, Jan. 6, 1809.*

SIR,

I have the honor to enclose a copy of a citation to the Commonwealth of Pennsylvania, which was served upon me a few days ago. There will be, I presume, if there has not already been, a like citation served upon the Governor.

If it should be considered expedient, or proper, that the Commonwealth should obey the citation, it will be necessary to instruct Counsel to attend, on the part of the State, as, without express directions, the Attorney-general would not consider himself authorized to appear for the Commonwealth, in obedience to the citation.

I enclose also a statement of the material facts and proceedings, in the case of Henry Miller, for the use of the United States, *versus* William Nichols, that it may appear, in what manner, and to what extent, the State is interested.

The questions made in the cause seemed to me of much importance, and to affect not only the interests, but the sovereignty, of the State; and are therefore re-

respectfully submitted to the consideration of the Governor.

I have the honor to be,

Sir,

Your most obedient servant.

J. B. M'KEAN.

*His Excellency* SIMON SNYDER, Esq.

Henry Miller, for the use

of the United States,

*vs.*

William Nichols.

In the Supreme Court of  
Pennsylvania.

William Nichols, as Clerk of the Mayor's Court of the city of Philadelphia, received, for tavern-licences, from August, 1788, till August, 1794, large sums of money; and, upon the settlement of his account, on the 22d of December, 1797, by the Register and Comptroller-general, stood indebted to the Commonwealth in 7894 dollars and 67 cents.

William Nichols appealed from this settlement, by the Register and Comptroller, to the Supreme Court of Pennsylvania. The appeal was entered to March term, 1798; and judgment was afterwards, on the 6th day of December, 1802, entered for the Commonwealth, for the sum of 9987 dollars and 15 cents, being the amount of the balance, as stated by the Register and Comptroller, with interest to the time of signing the judgment.

Interest on the amount of the judgment, from the 6th of September, 1802, till payment, is claimed on the part of the State.

William Nichols was appointed Collector of the internal revenue of the United States, on the       day of       and became indebted to the United States in 29,271 dollars. On the 9th day of June, 1798, he executed a mortgage to Henry Miller, for the use of the United States, to secure the payment of the sum due to the United States. An amicable suit on the mortgage, by Henry Miller, for the use of the United States, *versus* William Nichols, was entered to December term, 1800, in the Supreme Court of Pennsylvania; and a judgment was entered in favor of the Plaintiffs, as of the 27th of March, 1802, by agree-

ment of the Attornies. An *alias levare facias* issued to September term, 1803; and the mortgaged premises were sold, and the purchase-money was paid, or secured to be paid, to the Sheriff, and has since been paid into Court, on motion of Mr. Dallas, the District Attorney

On the 12th of May, 1802, William Nichols made a voluntary assignment of all his estate, for the benefit of his creditors generally. This was deemed an act of Bankruptcy; and a commission of Bankrupt issued against him, on the 28th of May, 1802, and he was declared a Bankrupt.

On the part of the Commonwealth, the Attorney-general contended, that the debt due to the Commonwealth should first be paid and satisfied, out of the monies raised by the sales of William Nichols' real estate; because, by the settlement of William Nichols' account, by the Register and Comptroller-general, on the 22d of December, 1797, a lien was created on all the real estate of William Nichols throughout the State, by the express provision of the Act of Assembly, passed the 18th of February, 1785, section 12, entitled, "*An Act to give the Benefit of Trial by Jury to the Public Officers of this State, and to other Persons who shall be proceeded against in a summary Manner, by the Comptroller of this State.*" 3d vol. State Laws, pages 9, 13. Carey's edition.

Mr. Dallas, the Attorney of the United States, for this District, contended:

1st. That a lien, on the real estate of William Nichols, was not established, by the settlement made by the Register and Comptroller-general, &c.

2d. That the United States had a priority in the payment of debts, in all cases of insolvency, by virtue of the Act of Congress, passed the 3d day of March, 1797, entitled, "*An Act to provide more effectually for the Settlement of Accounts, between the United States and the Receivers of Public Money.*" 3d vol. U. S. Laws, p. 421, l. 5.

The Attorney-general of the State insisted:

1st. That the lien was established by the settlement of William Nichols' account, by the Register and Comptroller-general, &c.

2d. That the United States could not take priority of the State, in payment of debts; at all events, so as to defeat a pre-existing right or lien of the State: And denied the constitutional power of Congress to pass an Act, to defeat or annul the pre-existing rights or liens of the State.

3d. That, if Congress had such power, the Act of the 3d of March, 1797, did not apply or extend to this case.

The Subject was first brought before the Supreme Court in December term, 1803. At that term, the first question was also made and argued, in the case of *Smith versus Nicholson*; and the Court unanimously decided, that such settlement, by the Register and Comptroller-general, did create a lien on all the estate of the debtor throughout the State.

The second question was also then mentioned; but not fully argued; as it was near the close, if not the last day, of the term.

The monies arising from the sales of Nichols' real estate were not then actually in Court; though argued to be so considered, for the purpose of bringing the question before the Court.

On the 21st of March, 1805, the Attorney for the State moved the Court for, and obtained, a rule to show cause, why the amount of the debt due to the Commonwealth should not be taken out of Court.

On the 22d of March, 1805, the District Attorney filed the suggestion, of which a copy is annexed.\*

\* The United States }  
     *vs.* } In the Supreme Court of Pennsylvania.  
     William Nichols. }

And now, *to wit*, this 22d day of March, in the year 1805, Alexander James Dallas, Attorney of the United States, for the District of Pennsylvania, comes here into Court, and suggests and gives the Court to be informed, that the Commonwealth of Pennsylvania ought not to be permitted to have and receive the money, levied and produced by virtue of the execution in the above suit; because the said Attorney, on behalf of the United States, saith, that, as well by virtue of the said execution, as of divers Acts of Congress, and particularly of an Act of Congress, entitled, "*An Act to provide more effectually for the Settlement of Accounts, between the United States and the Receivers of Public Monies*," approved the 3d March, 1797, the said United States are entitled to have and receive the money aforesaid; and not the Commonwealth of Pennsylvania.

A. J. DALLAS, Attorney, &c.

The question of priority was afterwards, in the same term, argued by the Attorney-general, for the Commonwealth, and by the District Attorney, for the United States. The Judges took time to advise; and, on the 13th of September, 1805, the motion of the Attorney-general was granted, by the unanimous opinion of the Court.

The District Attorney sued out a writ of error, to the High Court of Errors and Appeals; and, after argument, in June, 1808, the writ of error was granted.

The Attorney-general contending:

1st. That a writ of error did not lie in this case, to reverse the order of the Supreme Court, made upon the motion of the Attorney-general, to take the debt due to the Commonwealth out of Court. And,

2d. If the writ of error would lie, there was no error in the record.

Upon the remittiter of the record to the Supreme Court, the District Attorney presented to the Chief Justice a writ of error to the Supreme Court of the United States, returnable in February next; filed the security required by the Act of Congress, entitled, "*An Act to establish the Judicial Courts of the United States*," approved the 24th of September, 1789; and prayed the allowance of the writ of error, and the signature of the Chief Justice to the citation.

The Attorney-general, with the permission of the Chief Justice, submitted, for consideration, such reasons as occurred to him, why the writ of error should not be allowed, or the citation issued. The Chief Justice thought it proper, indeed a matter of course, to give his signature to the citation; and the other Judges, it was understood, concurred with him in opinion; as they considered themselves officially bound to return the record with the writ of error.

The above statement, together with the transcripts and extracts annexed, contains all the facts and proceedings, in the case of Henry Miller, for the use of the United States, *versus* William Nichols, believed, by the Attorney-general, to be necessary for the information of the Governor.

The Attorney-general is not aware, that any material fact or circumstance is omitted.

J. B. M'KEAN.

Jan. 6, 1809.

(Here follows a copy of the writ of error, from the Supreme Court of the United States, to the Supreme Court of the Eastern District of Pennsylvania, and of the endorsements thereon. Also, a copy of the record of the Supreme Court of Pennsylvania, in the case of Henry Miller, for the use of the United States, *versus* William Nichols; and a copy of the citation to the Commonwealth of Pennsylvania, "to appear (if you see cause) at the said Supreme Court of the United States, at the time and place *therein mentioned*, to answer to the said writ of error," &c.; *together* with Mr. Dallas's statement of the general facts on which the writ of error is founded; which are mentioned in the statement of the late Attorney-general above.)

Agreeably to order,

The Bill, entitled, "*An Act for the Relief of Thomas Campbell, of the County of York,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with one amendment; which was read, as reported.

Agreeably to order,

The Bill, entitled, "*An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flat-rock, in the County of Philadelphia,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill, with amendments; which were read, as reported.



On motion of Mr. Dorsey and Mr. Hiestler,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That the Speaker draw his warrant on the Treasurer of the State, for the sum of 200 dollars, in favor of Ritter & Co. Printers of the Journal of the Senate, in the German language; they to be accountable for the same.

Whereupon,

A warrant was accordingly so drawn.

Adjourned, till 11 o'clock Monday morning.



Monday, January 16, 1809.

Mr. Weaver, from the Committee to whom was referred, on the 3d of this month, the petition of William Mitchell, of Bucks county, made the following report:

That Joseph Mitchell (Father of the petitioner) on and about the year 1765, purchased sundry rights of land, known by the character of *Old Rights*, belonging to persons who are said to have resided in England.

These *Old Rights*, the Committee understand to have been derived from William Penn; who, to encourage the settlement of the Province, sold, while in England, parcels of land, to a number of persons, who intended to emigrate to Pennsylvania; gave them receipts for the money paid, and conveyances for the land sold, which were to be located by the purchasers, their heirs or assigns, on any unappropriated lands, when they should arrive in the Province. These purchasers, their heirs or assigns were also entitled to receive, in proportion to their quantities of land, one or more city and liberty lots, in and appurtenant to the city of Philadelphia, to be set off to them by lot.

Although those who held the *Old Rights*, in the first instance, intended to remove to Pennsylvania; yet, from unforeseen causes, many of them never did remove; but remained in England; where they either

made sale of their Rights to others who were about to emigrate, or to persons who had arrived in England, from America, with design to purchase.

Among the latter description, appears to have been Joseph Mitchell (Father to the petitioner) who became purchaser of titles which, no doubt, he supposed to be good; and, in consequence thereof, claims sundry lots which were said to be sold under the authority of an Act, passed the 10th of April, 1781. For which, see Carey and Bioren's edition, vol. 2, page 303.

There seems to be little doubt, but that the lots appurtenant to the tracts of land, which Joseph Mitchell claimed, were sold by the State, and the money paid into the Treasury; but his titles (before us) to the lands, under which he claims the lots, appear to be defective.

In two instances (and the least defective) it is by lease and release from persons who are said (in the recital) to have held from others, by descent and devise down from William Penn; but there is no evidence, in writing nor otherwise, of the persons thus mentioned having ever existed; nor any reference made to offices or records, in England (where they are said to have lived) to prove the descent and devise, sufficient to vest a title in the persons who sold to Joseph Mitchell: So that, if Joseph Mitchell were uninformed of the nature of title generally, and did not take counsel at the time he made the purchases, the transaction might have been a fraudulent imposition upon him.

At a period, however, so remote as the present, from the first settlement of Pennsylvania, the Committee are aware, that, if the title were equitable, it would be very difficult, if not impossible, to make clear proof of descent; yet it is equally certain, that such a doubtful title, as is possessed by the petitioner's Father, might easily be made by any two or more, who had a knowledge of the circumstances of the first purchase; although they never had any right to the premises. For, if sundry persons, by collusion, at different times and by different sales, were to sell the lands and lots in question, and form different recitals through fictitious persons, up to the first real purchaser from William Penn, and all apply

for the same lots ; would remain equally uncertain, to the Legislature, who among such Claimants had the real title, or whether any.

Besides, as the Father of the petitioner lived in the Province, and was in possession of the title (such as it might have been) from the year 1765, about eleven years before the Revolution, when he might have applied to the Proprietaries for the lots ; as the State, since the Revolution, provided by Law for the adjustment of such claims as his, through the Executive Council and Supreme Court, where he did apply, but did not obtain redress (as to the lots now claimed) ; a presumptive evidence arises, that his title never was good ; that it never could have been substantiated. The Committee therefore submit the following Resolution, *viz.*

*Resolved*, That William Mitchell's claim be discharged.

On motion of Mr. Lacock and Mr. Weaver,

The said report was again read, and the Resolution attached thereto adopted.

Mr. Brady, from the Committee to whom was referred, on the 17th of last month, the petition of John Irwin, of Brushhill, in Westmoreland county, on leave now given, reported the Bill, entitled, "*An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described ;*" which was read the first time.

The Bill, entitled, "*An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock, in the County of Philadelphia,*" was read the second time, as reported by Committee of the Whole, on the 14th instant, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Deputy-secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the  
Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the Act of the General Assembly, entitled, "*An Act to enable the Administrators of Henry Lennox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof;*" and directed the Secretary to return the same to the House of Representatives, in which it originated.

SIMON SNYDER.

*Lancaster, Jan. 16, 1809.*

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act to erect the Town of Kutztown, in the County of Berks, into a Borough.*"

And, for signature, the "Resolution for the Distribution of certain Laws of this Commonwealth."

Whereupon,

The Speaker signed the said Resolution.

The Bill, presented for concurrence, was read the first time.

Agreeably to order,

The Bill, entitled, "*An Act to enable the Governor of this Commonwealth to incorporate a Company, for the Purpose of making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, near the Schuylkill Permanent Bridge, through Darby and Chester, to the Delaware State Line,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Thursday, the 26th of this month.

Adjourned, till 11 o'clock tomorrow morning.

Tuesday, January 17, 1809.

Mr. Lacock presented the petition of the subscribers thereto, inhabitants residing west of the rivers Ohio, Allegheny, and Conewango Creek, stating that they have settled on the lands of Warrantees, receiving, as an inducement, one-fourth of each tract of 400 acres. That they have been obliged to pay the taxes on the whole; and, as the Owners reside at a distance, and in some cases out of the State, the petitioners are thus subjected to a very burthensome advance of money, for the payment of the said taxes. And the said petition was twice read, and referred to Mr. Lacock, Mr. M'Arthur, and Mr. Blocher, to consider and report thereon.

Mr. Weaver, from the Committee to whom was referred, on the 2d of this month, the petition of the subscribers thereto, inhabitants of Greene county, on leave now given, reported the Bill, entitled, "*An Act to reduce the Number of Courts in the County of Greene;*" which was read the first time.

Mr. Lacock, from the Committee appointed, on the 14th of last month, to inquire and report what alterations and amendments, if any, are necessary in the Laws relative to selecting and returning Jurors; and the propriety of allowing the parties, in civil suits, the privilege of peremptorily challenging a certain number of Jurors; made the following report:

That the Committee, after a careful examination of the subject, have been led to the following remarks and conclusions: That the Supplement to the Law for selecting and returning Jurors has, in its operation, been found neither expedient nor salutary; but, on the contrary, the Jurors selected by the Township Assessors, under the regulations of that Law, have too frequently been found to want that soundness of judgment, and legal discernment, necessary to produce a correct decision, particularly on difficult subjects; owing in a great measure to the Assessors, in many townships, returning, as persons suitably qualified to serve on Juries, the name of almost every taxable inhabi-

tant, without regard to his qualifications. The Committee, therefore, feel it their duty to recommend a repeal of the Law aforesaid.

On the second point submitted to the consideration of the Committee, they have found a wider field for inquiry; inasmuch as it proposes to introduce a new principle in the mode of Jury-trial, in civil cases; namely, the propriety of admitting, to a certain extent, the right of peremptory challenges to the parties. The Committee, while willing to acknowledge that institutions or principles, tested by experience, and found in their general application useful and salutary, should not be altered without cogent reasons to justify the alteration; yet, they are more unwilling to admit the absurd doctrine, "that an old Error is better than a new Truth." Neither are their fears awakened, by the stale clamor of Innovation, which has, for some time past, been urged against all necessary Reform; and which, in other Countries, with a People less virtuous and enlightened, has ever been made use of, as a specious argument, to continue abuses and perpetuate political corruption.

But they confidently believe it the duty of the Legislature (convened by the Constitution annually) to supply such defects in their juridical institutions as experience has pointed out, and adopt such necessary amendments as may be calculated to advance the interest of their Constituents, and promote the administration of public justice.

And the Committee are led to believe, that allowing the parties, in civil suits, the privilege of peremptorily challenging a certain number of Jurors, would give them additional confidence in the decisions thus made; and thereby the numerous applications to the Judges, to set aside verdicts and grant new trials, would be much diminished; and it would, moreover, be desirable that the Laws should be so framed and executed, that impartial justice should not only be administered, but, if possible, public satisfaction given.

To effect these objects, it will be found necessary that Jurors enter upon their duties unprejudiced and without bias, and, as far as possible, above suspicion: But,

as the Law at present stands, it frequently happens that a Suitor observes the devoted Friend of his opponent, or perhaps his own inveterate Enemy, brought forward to sit in judgment on his property, or decide upon his reputation ; and yet he can furnish no legal exception, to prevent his being sworn and impaneled to try the cause ; and he is even prevented from making the attempt, or suggesting his fears, lest the exception should be overruled by the Court, and the prejudice or attachment of the Juror (perhaps already too strong) be increased thereby.

With this view of the subject, the Committee offer, for the adoption of the Senate, the following Resolution :

*Resolved*, That a Committee be appointed, to bring in a Bill to repeal so much of an Act, entitled, "*A Supplement to the Act, entitled, An Act directing the Mode of selecting and returning Jurors,*" as relates to the selecting and returning Jurors by the Township Assessors ; and also allowing the parties, in civil suits, the right of peremptorily challenging Jurors.

Ordered to lie on the table.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flat-rock, in the County of Philadelphia,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act to amend an Act, entitled, An Act granting an Annuity to Thomas Snowden ;*" which was read the first time.

On motion of Mr. Weaver and Mr. Roberts,

The Senate resumed the consideration of the Bill, entitled, "*An Act for the Relief of Casper Shaffner ;*" postponed, for the present, on the 14th Instant.

The consideration of section 1 recurring, was adopted.

The preamble and title having been agreed to,  
*Ordered*, That said Bill be prepared for the third reading.

.Adjourned, till 11 o'clock tomorrow morning.



Wednesday, January 18, 1809.

Mr. Miller, from the Committee to whom was referred, on the 9th of this month, the petition of Alexander Ruffel, on leave now given, reported

The Bill, entitled, “*An Act for the Relief of Alexander Ruffel;*” which was read the first time.

The Bill, entitled, “*An Act for the Relief of Casper Shaffner,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

Agreeably to order,

The Bill, entitled, “*An Act to erect the Town of Kutztown, in the County of Berks, into a Borough,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again, on the 21st of this month.

Agreeably to order,

The Bill, entitled, “*An Act to regulate the Issuing of Patents for Donation-lands,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,



The Committee rose, and reported the Bill, with amendments, which were read as reported.

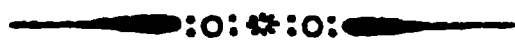
The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches;*" which was read the first time.

Mr. Laird, from the Committee appointed for that purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, this day presented to the Governor, for his approbation, the Bill, entitled, "*An Act to authorise Thomas M'Kean Thompson to sell and convey, in Fee Simple, a Tract of Donation-land therein mentioned.*"

And a Resolution for the Distribution of certain Laws of this Commonwealth.

Adjourned, till 11 o'clock tomorrow morning.



Thursday, January 19, 1809.

The Clerk of the House of Representatives presented, for signature, the Bill, entitled, "*An Act for the Relief of Casper Shaffner.*"

Whereupon,

The Speaker signed the same.

Mr. Stevenson presented the petition of the subscribers thereto, principally residents of Washington county, stating the mischievous effects of what is usually called the Common-law System; and praying the attention of the Legislature thereto. And the same was twice read, and referred to the Committee appointed on the subject of the Judiciary.

Mr. Dorsey presented the memorial of the President and Directors of the "Female Association of Philadelphia, for the Relief of Women and Children in reduced Circumstances," praying for an Act of Incorporation; and the same was twice read, and referred to Mr. Dorsey, Mr. Hiestler, and Mr. Udree, to consider and report thereon.

Mr. Stevenson presented the petition of Manning Martain, of Washington county, stating that he came to this Country in 1784, from Ireland, with an intention of becoming a Citizen. That, in 1798, he purchased a tract of land in the said county, wholly unacquainted with the Laws, respecting Aliens purchasing and holding lands. That, since that time, he has been regularly admitted a Citizen. He therefore prays that the said lands may be confirmed to him, by Law. And the said petition was twice read, and referred to Mr. Stevenson, Mr. Bright, and Mr. Preston, to consider and report thereon.

Mr. Campbell presented the petition of Thomas Hunt, stating that he enlisted as a private Soldier, in Captain John Alexander's company, 7th regiment, of the Pennsylvania line; and, at the conclusion of the War, he was regularly discharged: But that he has lost the discharge. That he has hitherto sustained himself, by labor: But, as he is become infirm, he is without the means of support. He therefore prays relief. And the said petition was twice read, and referred to Mr. Campbell, Mr. Miller, and Mr. Brady, to consider and report thereon.

Mr. Dorsey presented the memorial and remonstrance of the Directors of the Library Company of Philadelphia, stating that the property of the institution has been, till lately, deemed exempt from taxation; but that demands are now made which, if admitted, will greatly impair the funds of their institution: And, as the advantages which the community derive from the use of the books (gratis, if used in the library room) are very great, they hope the Legislature will see the propriety of passing an Act to exempt the said institution from taxation. And the said memorial was twice read, and referred to the Committee to whom was referred, on the 9th of this month, the memorial of the Board of Health, praying for a similar exemption.

Agreeably to order,

The Bill, entitled, "*An Act to abolish the Office of Comptroller-general, and for other Purposes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments ; which were read as reported.

Adjourned, till 11 o'clock tomorrow morning.



Friday, January 20, 1809.

Mr. Laird presented the memorial of William B. Galbraith, stating that he is possessed of a tract of land, containing 240 acres ; situate about 12 miles above Columbia, on the bank of the Susquehanna river. That he understands the Legislature are now desirous of establishing the Permanent Seat of Government ; and, as he conceives that no situation unites more advantages than his farm, he offers the same on the following conditions :

1st. He will grant the State, in fee simple, 10 acres for the Public Buildings.

2d. He will dispose of his farm at 100 dollars per acre.

And the said memorial was twice read, and referred to the Committee of the Whole, when they shall sit on the subject of fixing the Seat of Government.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Crawford county, complaining of the proceedings of the Viewers appointed under the Act of the 10th of April, 1807 ; the object of which was, to have a road, between the towns of Mercer and Meadville, opened on the best ground, and by the most direct course. Instead of which, the route laid out is over ground which, by reason of its being marshy, will occasion great expence in bridging, and is 760 perches from a direct line : They therefore pray the attention of the Legislature to the subject. And the same was read, and

Laid upon the table.

Mr. Lacock presented three several petitions, of similar purport, from the subscribers thereto, inhabitants of the counties of Beaver and Butler, usually denominated Actual Settlers, stating the deplorable situation of that part of the State, in consequence of the disputes between them and the Warrantees remaining undecided; and praying the attention of the Legislature to the subject. And the same were twice read, and referred to the Committee to whom was referred, on the 17th of last month, the 6th item of the report on unfinished business.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Erie county, of similar purport to the foregoing; and the same was twice read, and referred to the same Committee.

The Bill, entitled, "*An Act to abolish the Office of Comptroller-general, and for other Purposes,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 was agreed to.

Section 2 being under consideration,

A motion was made, by Mr. Weaver and Mr. Roberts,

To amend the section, by striking from line 8 the word "they;" and inserting, in the place thereof, the following:

"Or, if any individual, interested in the result of such settlement, shall think himself aggrieved, by the agreement of the Auditor-general and State Treasurer; then, and in such case or cases, the said Auditor-general and State Treasurer;" which was agreed to.

A motion was then made, by Mr. Sommer and Mr. Wayne,

Further to amend the section, by striking out all that follows the word "the," in line 7, to the end of the section; and, to insert the following, in place thereof:

"State Treasurer disapprove thereof, he shall, after having, in writing, informed the Auditor-general of such his disapprobation, and the reasons thereof; if they cannot then agree, he shall transmit the same, together with a statement of his objections,

to the Governor; who shall thereupon, after having inquired into the reasons of the Auditor-general, in support of his opinion, decide as the nature of the case may require; and return the said accounts, and the vouchers thereof, to the State Treasurer; who shall submit the same to the inspection of the Auditor-general: *Provided always*, That, in all cases, where the parties shall not be satisfied with the settlement of their respective accounts, in the manner aforesaid; or where there shall be reason to suppose, that justice has not been done to the Commonwealth; the Governor may, in like manner and upon the same conditions as heretofore, allow appeals, or cause suits to be instituted, as the case may require."

Mr. Roberts called for a division of the motion, so that a question may be first taken on striking out.

Whereupon,

The Yeas and Nays, on the motion to strike out, were required by Mr. Heston and Mr. Weaver; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.	YEAS.
Messrs. Blocher, Borrows, Brady, Campbell, Dorsey, Erwin, Grefs, Heston, Hiefter,	Messrs. Irish, Laird, Lattimore, Mayer, Miller, Preston, Slaymaker, Sommer, Wayne. 18.
NAYS.	NAYS.
Messrs. Bright, Doty, Lacock, M'Arthur, Mitchell, Palmer, Rahm,	Messrs. Rankin, Roberts, Stevenfon, Udree, Weaver, Lane ( <i>Speaker</i> ). 13.

Eighteen yeas, and thirteen nays; by which it appeared that the question was determined in the affirmative.

On motion of Mr. Roberts and Mr. Mitchell,  
*Agreed*, That the further consideration of the section and Bill be postponed, for the present.

On motion of Mr. Wayne and Mr. Roberts,  
*Agreed*, That Senate will, hereafter, meet at 10 o'clock in the morning of each day.

Whereupon,  
Adjourned, till that hour tomorrow morning.



Saturday, January 21, 1809.

The Speaker laid before the Senate a letter from Dr. James Mease, Secretary of the Agricultural Society of Philadelphia, informing that he therewith transmitted a copy of the Memoirs of that Society, in obedience to the directions thereof; and the said letter was read, which, with the Memoirs, were laid upon the table.

Mr. Brady presented the petition of John Morris, of the county of Lancaster, stating that the Legislature, at their last session, granted him a tract of Donation-land, under the restriction of its remaining unalienable, during his life; that, as he has not been accustomed to agriculture, and as, under present circumstances, it would be disadvantageous to remove his family to the land; he therefore prays to be enabled to sell the same. And the said petition was twice read, and referred to Mr. Brady, Mr. Erwin, and Mr. Slaymaker, to consider and report thereon.

Mr. Udree presented the petition of the subscribers thereto, inhabitants of Reading, stating that they understand the Legislature are about establishing the Permanent Seat of Government; they therefore recommend the town of Reading, for that purpose, uniting, as they say, more advantages, local and general, than any other place in the State. The petitioners offer, as a gratuity, a lot of ground sufficient for the Public Buildings. And the same was twice read, and referred to the Committee of the Whole, when the Subject of the Seat of Government shall be under consideration by that Committee.

Mr. Lacock presented two several petitions of the subscribers thereto, inhabitants of Beaver county, praying for aid in the erection of the Public Buildings in the said county; either out of the monies arising from the sale of the in and out lots of the town of Beaver; or to authorise a sale of the reserved lots and lands, and grant so much of the proceeds thereof as will enable the county to erect the said Buildings. And the petitions were severally twice read, and referred to Mr. Lacock, Mr. Mayer, and Mr. M'Arthur, to consider and report thereon.

Mr. Wayne, from the Committee to whom was referred, on the 17th of last month, the 4th item of the report of unfinished business, *viz.*

The Bill, entitled, "*An Act supplementary to the several Laws of this Commonwealth, respecting Foreign Attachments,*" reported the said Bill, without amendment; which was read as reported.

Agreeably to order,

The Bill, entitled, "*An Act to amend an Act, entitled, An Act granting an Annuity to Thomas Snowden,*" was read the second time, considered by section, and agreed to.

The title of the Bill was agreed to.

*Ordered,* That the said Bill be prepared for a third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Palmer in the chair, the consideration of the Bill, entitled, "*An Act to erect the Town of Kutztown, in the County of Berks, into a Borough.*"

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived.

Whereupon,

On motion of Mr. Roberts and Mr. Doty,

The report of the Committee of the Whole, on the said Bill, was again read, considered, and adopted; and so the Bill was lost.

The Bill, entitled, "*An Act to regulate the Issuing of Patents for Donation-lands,*" was read the second time,

as reported by Committee of the Whole, on the 18th of this month, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by adding thereto the following :

*“ Provided, always, That nothing herein contained shall, in any wise, be taken to legalize the issuing of Patents on applications, as aforesaid, heretofore made.”*

Which was agreed to.

A motion was then made by Mr. Wayne and Mr. Preston,

Further to amend the section, by inserting the following, as an additional proviso, *to wit :*

*“ And be it further provided, That nothing herein contained shall be construed to debar the heir or heirs of any Officer or Private, aforesaid, from a right of appeal to the Supreme Court, upon applications which may hereafter be made for Donation-tracts of land.”* Which was not agreed to.

The section was adopted.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, *“ An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School ;”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments ; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, *“ An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes ;”* which was read the first time.



The Bill, entitled, "*An Act to alter and amend an Act, entitled, An Act to direct the Mode of selling unseated Lands, for Taxes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock Monday morning.



Monday, January 23, 1809.

Mr. Laird, from the Committee appointed for that purpose, made report :

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for approbation, the Bill, entitled, "*An Act for the Relief of Casper Shaffner.*"

The Bill, entitled, "*An Act to amend an Act, entitled, An Act granting an Annuity to Thomas Snowden,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to regulate the Issuing of Patents, for Donation-lands,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for*

as reported by Committee of the Whole, on the 18th of this month, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by adding thereto the following :

*“ Provided, always, That nothing herein contained shall, in any wise, be taken to legalize the issuing of Patents on applications, as aforesaid, heretofore made.”*

Which was agreed to.

A motion was then made by Mr. Wayne and Mr. Preston,

Further to amend the section, by inserting the following, as an additional proviso, *to wit :*

*“ And be it further provided, That nothing herein contained shall be construed to debar the heir or heirs of any Officer or Private, aforesaid, from a right of appeal to the Supreme Court, upon applications which may hereafter be made for Donation-tracts of land.”* Which was not agreed to.

The section was adopted.

The title having been agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

The Bill, entitled, *“ An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School ;”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments ; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, *“ An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes ;”* which was read the first time.

The Bill, entitled, "*An Act to alter and amend an Act, entitled, An Act to direct the Mode of selling unseated Lands, for Taxes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock Monday morning.

—:o:~:o:—

Monday, January 23, 1809.

Mr. Laird, from the Committee appointed for that purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for approbation, the Bill, entitled, "*An Act for the Relief of Casper Shaffner.*"

The Bill, entitled, "*An Act to amend an Act, entitled, An Act granting an Annuity to Thomas Snowden,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to regulate the Issuing of Patents, for Donation-lands,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for*

there shall be reason to suppose, that justice has not been done to the Commonwealth; the Governor may, in like manner and upon the same conditions as heretofore, allow appeals, or cause suits to be instituted, as the case may require."

On motion of Mr. Borrows and Mr. Laird,

The foregoing motion was postponed, for the present.

Whereupon,

A motion was made, by Mr. Borrows and Mr. Laird (who voted with the majority)

To reconsider the question, on the motion to strike out the provision which placed the decision, in case of a disagreement, in the settlement of accounts (between the Auditor-general and State Treasurer) in the Legislature; and to supply the place of which, the foregoing amendment was offered.

The question, on the motion to reconsider, being put, was determined in the affirmative.

Whereupon,

The Yeas and Nays, on striking out the said provision, were required by Mr. Sommer and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit* :

YEAS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Irish,

YEAS.

Messrs. Lattimore,  
Mayer,  
Miller,  
Preston,  
Sommer,  
Wayne. 13.

NAYS.

Messrs. Blocher,  
Borrows,  
Bright,  
Doty,  
Hiestler,  
Lacock,  
Laird,  
M'Arthur,  
Mitchell,

NAYS.

Messrs. Palmer,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 17.

Thirteen Yeas, and seventeen Nays; by which it appeared, that the question was determined in the negative.

The section was adopted.

Sections 3, 4, 5, 6, and 7, were severally adopted.

Section 8 being under consideration,

A motion was made, by Mr. Sommer and Mr. Wayne,

To amend the section, by restoring the words stricken out in Committee of the Whole, *to wit*:

“Three years, if he shall so long behave himself well;” which was agreed to, and the section, so amended, adopted.

On motion of Mr. Roberts and Mr. Weaver,

The following was adopted, as a new section:

“Section 9. *And be it further enacted, by the authority aforesaid,* That the Auditor-general shall receive the sum of 1333 dollars and 33 cents annually, in quarterly payments, out of any money in the Treasury, appropriated for the expences of Government, as a full compensation for his services.”

Section 9, now become section 10, was agreed to.

The preamble of the Bill was adopted.

The title having been amended, so as to read, “*An Act making a new Arrangement of the Treasury Department,*” was agreed to.

Whereupon,

The question, Shall this Bill be prepared for the third reading? being put,

A motion was made, by Mr. Weaver and Mr. Roberts,

To postpone the decision of that question, for the present; which was agreed to.

Adjourned, till 10 o'clock tomorrow morning.



Tuesday, January 24, 1809.

Mr. Stevenson, from the Committee to whom was referred, on the 19th of this month, the petition of Manning Martain, on leave now given, reported the

as reported by Committee of the Whole, on the 18th of this month, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by adding thereto the following :

*“ Provided, always, That nothing herein contained shall, in any wise, be taken to legalize the issuing of Patents on applications, as aforesaid, heretofore made.”*

Which was agreed to.

A motion was then made by Mr. Wayne and Mr. Preston,

Further to amend the section, by inserting the following, as an additional proviso, *to wit :*

*“ And be it further provided, That nothing herein contained shall be construed to debar the heir or heirs of any Officer or Private, aforesaid, from a right of appeal to the Supreme Court, upon applications which may hereafter be made for Donation-tracts of land.”* Which was not agreed to.

The section was adopted.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, *“ An Act vesting a Title to a small Picce of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School ;”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments ; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, *“ An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes ;”* which was read the first time.

The Bill, entitled, "*An Act to alter and amend an Act, entitled, An Act to direct the Mode of selling unseated Lands, for Taxes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock Monday morning.

—:o:~:o:—

Monday, January 23, 1809.

Mr. Laird, from the Committee appointed for that purpose, made report :

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for approbation, the Bill, entitled, "*An Act for the Relief of Casper Shaffner.*"

The Bill, entitled, "*An Act to amend an Act, entitled, An Act granting an Annuity to Thomas Snowden,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to regulate the Issuing of Patents, for Donation-lands,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for*

*the Use of a School ;*” was read the second time, as reported by Committee of the Whole, on the 21st of this month, considered by section, and agreed to.

The preamble and title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, “ *An Act for the Relief of the Heirs of Fredrick Vernon, deceased ;*” which was read the first time.

The Bill, entitled, “ *An Act to alter and amend an Act directing the Mode of selling unseated Lands, for Taxes,*” was read the second time, as reported by Committee of the Whole, on Saturday last, and considered by section.

The 1st and only section being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Dorsey and Mr. Lacock ; and, on the question being put, the Members voted as follow, *to wit* :

YEAS.  
Messrs. Blocher,  
Borrows,  
Brady,  
Bright,  
Campbell,  
Doty,  
Erwin,  
Heston,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Dorsey,  
Grefs,  
Hiefter,  
Mayer,

YEAS.  
Messrs. Lattimore,  
M'Arthur,  
Miller,  
Palmer,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Wayne,  
Weaver,  
Lane (*Speaker*). 22.

NAYS.  
Mitchell,  
Preston,  
Sommer,  
Udree. 8.

Twenty-two Yeas, and eight Nays ; by which it appeared that the question was determined in the affirmative.

The title was agreed to.



*Ordered*, That the said Bill be prepared for the third reading.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, “ *An Act Authorising the Governor to appoint an Auctioneer for the District of Southwark, and the Townships of Moyamensing and Pas-syunk,*” was postponed, for the present.

Agreeably to order,

The Bill, entitled, “ *An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments, which were read as reported.

On motion of Mr. Roberts and Mr. Weaver,

The Senate resumed the consideration of the Bill, entitled, “ *An Act to abolish the Office of Comptroller-general, and for other Purposes,*” postponed, for the present, on the 20th of this month.

The consideration of the amendment, offered by Mr. Sommer and Mr. Wayne, recurring, *viz.* to insert the following, in place of what was stricken out, *to wit* :

“ State Treasurer disapprove thereof, he shall, after having, in writing, informed the Auditor-general of such his disapprobation, and the reasons thereof; if they cannot then agree, he shall transmit the same, together with a statement of his objections, to the Governor; who shall thereupon, after having inquired into the reasons of the Auditor-general, in support of his opinion, decide as the nature of the case may require; and return the said accounts, and the vouchers thereof, to the State Treasurer; who shall submit the same to the inspection of the Auditor-general: *Provided always*, That, in all cases, where the parties shall not be satisfied with the settlement of their respective accounts, in the manner aforesaid; or where

Neither candidate having a majority of the votes of all the Members present, the Senate again proceeded to elect.

Whereupon,

Messrs. Lane (Speaker) Blocher, Bright, Dorsey, Doty, Hiefter, Irish, Lacock, M'Arthur, Palmer, Rankin, Roberts, Stevenson, Udree, and Weaver, voted for Thomas Humphreys.

Messrs. Borrows, Brady, Erwin, Grefs, Heston, Laird, Lattimore, Mayer, Miller, Rahm, Slaymaker, and Sommer, voted for Theophilus Harris.

Messrs. Campbell, Preston, and Wayne, voted for Elisha Gordon.

So it appeared that THOMAS HUMPHREYS had 15 votes

THEOPHILUS HARRIS, . 12

ELISHA GORDON, 3

and that, neither of the candidates having a majority of all the votes, no choice was made.

Whereupon,

The Senate proceeded again to vote for said Director. And

Messrs. Lane (Speaker) Blocher, Bright, Dorsey, Doty, Hiefter, Irish, Lacock, M'Arthur, Palmer, Rankin, Roberts, Stevenson, Udree, and Weaver, voted for Thomas Humphreys.

Messrs. Borrows, Brady, Campbell, Erwin, Grefs, Heston, Laird, Lattimore, Mayer, Miller, Preston, Rahm, Slaymaker, Sommer, and Wayne, voted for Theophilus Harris.

So it appeared that THOMAS HUMPHREYS had 15 votes

THEOPHILUS HARRIS, 15

and that no choice was made.

Whereupon,

On motion of Mr. Lacock and Mr. Laird,

The election of a third Director of the Philadelphia Bank, for the ensuing year, was postponed, for the present; and made the order of the day for tomorrow.

Agreeably to order,

The Bill, entitled, "*An Act to reduce the Number of Courts in the County of Greene,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act giving additional Powers to, and changing the mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Brady in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

On motion of Mr. Roberts and Mr. Doty,

The Senate resumed, in Committee of the Whole, Mr. Sommer in the chair, the consideration of the Bill, entitled, "*An Act granting to Abraham Faith the Depreciation of his Pay, as a Soldier.*"

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived.

On motion of Mr. Roberts and Mr. Wayne, and by special order,

The report of the Committee of the Whole was considered, and adopted; and so the Bill was lost.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, respectively, as follow, *to wit*:

1. *An Act dissolving the Marriage of John M'Clellen and Margaret M'Clellen, his Wife.*

2. *An Act further extending an Act, entitled, "An Act for the Relief of divers Inhabitants of Adams County."*

And he presented, for signature, the Bill, entitled, "*An Act to amend an Act entitled, An Act granting an Annuity to Thomas Snowden.*"

Whereupon,

The Speaker signed the said Bill.

The Bills, presented for concurrence, were severally read the first time.

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, January 25, 1809.

The Speaker laid before the Senate a report, from the President and Managers of the Colchester and Greatbend Turnpike Company; by which it appears, that 10 miles of the said road have been perfected; the remainder of that part in Wayne county is nearly finished; that part in Luzerne county is in considerable forwardness; and that the whole road is, by the stipulations of the Act of Incorporation, to be completed by the 1st of December, 1810. That the amount expended is 46,056 dollars and 19 cents. And the said report was read, and

Laid on the table.

The Speaker also laid before the Senate a report, from the President and Managers of the Cheltenham and Willowgrove Turnpike Company; by which it appears, that the amount of capital expended in constructing the road is 80,800 dollars.

	D.	C.
Amount of tolls collected,	6002	25
Payments thereout, for salaries, repairs, &c.	2291	77

Balance, being the amount of profits,	3710	48
---------------------------------------	------	----

equal to 4 dollars 59 cents per cent. on the said capital.

And the said report was read, and

Laid upon the table.

The Bill, entitled, "*An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to reduce the Number of Courts in the County of Greene,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been amended, so as to read, "*An Act to reduce the Number of Terms for holding Courts in the County of Greene,*" and agreed to;

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Brady in the chair, the consideration of the Bill, entitled, "*An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.*"

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Thereupon,

On motion of Mr. Roberts and Mr. Rahm,

The said Bill was referred to Mr. Sommer, Mr. Weaver, and Mr. Blocher, to consider and report thereon.

Agreeably to order,

The Senate proceeded to the election of the third Director of the Bank of Pennsylvania.

The Clerks were first appointed Tellers. And,

Upon counting the votes, it appeared that

WILLIAM BOYD had 16 votes,  
and JOHN HARRISON, 15 votes;  
and that William Boyd was duly chosen.

The following is a statement of the votes:

Messrs. Lane (Speaker) Blocher, Bright, Dorsey, Doty, Hiestler, Irish, Lacock, M'Arthur, Mitchell, Palmer, Roberts, Stevenson, Udree, and Weaver, voted for John Harrison.

Messrs. Borrows, Brady, Campbell, Erwin, Grefs, Heston, Laird, Lattimore, Mayer, Miller, Preston, Rahm, Rankin, Slaymaker, Sommer, and Wayne, voted for William Boyd.

Whereupon,

The Speaker declared, that Hugh Ferguson, Thomas Leiper, and William Boyd, were duly elected Directors of the Bank of Pennsylvania, on the part of the Senate, for the present year.

Agreeably to order,

The Senate then proceeded to the election of the third Director of the Philadelphia Bank.

The Clerks were appointed Tellers. And,

Upon counting the votes, it appeared that

THEOPHILUS HARRIS had 16 votes,  
and THOMAS HUMPHREYS, 15;  
and that Theophilus Harris was duly chosen.

The following is a statement of the votes :

Messrs. Lane (Speaker) Blocher, Bright, Dorsey, Doty, Hiestler, Irish, Lacock, M'Arthur, Mitchell, Palmer, Roberts, Stevenson, Udree, and Weaver, voted for Thomas Humphreys.

Messrs. Borrows, Brady, Campbell, Erwin, Grefs, Heston, Laird, Lattimore, Mayer, Miller, Preston, Rahm, Rankin, Slaymaker, Sommer, and Wayne, voted for Theophilus Harris.

Whereupon,

The Speaker declared, that David Acheson, John Jackson, and Theophilus Harris were duly elected Directors of the Philadelphia Bank, on the part of the Senate, for the present year.

The Bill, entitled, "*An Act to enable John Irwin, of Bruffhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Roberts in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Thereupon,

On motion of Mr. Weaver and Mr. Roberts, and by special order,

The said Bill was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

*Ordered*, That it be prepared for the third reading.

The Bill, entitled, "*An Act granting a Tract of Donation-land to Michael Sechler, a Soldier in the late War,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

The Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Friday next.

Adjourned, till 10 o'clock tomorrow morning.



Thursday, January 26, 1809.

Mr. Laird presented the petition of Fleming Wilson, of Turbut township, in the county of Northumberland, stating that he became possessed, by regular purchase, in 1784, of a tract of land on Warriorn, in said county, which was sold as the estate of John Stephens. That, in the year 1792, the petitioner was served with a precept, issued by the Trustees of the Loan-office, directing the Sheriff of the said county to sell his land, for the mortgage-money and interest due to the said Loan-office by the said John Stephens. That the petitioner knew nothing of this incumbrance on the said land, before these proceedings. That it appears the Trustees, instead of demanding and receiving the original deed, which vested the title in the said Stephens, received an exemplification thereof; by which the petitioner was wholly uninformed of

there being such an incumbrance. That, however, he has been obliged to pay the amount of the mortgage (£150) and interest. He therefore prays the attention of the Legislature to his case. And the said petition was twice read, and referred to Mr. Laird, Mr. Helton, and Mr. Rankin, to consider and report thereon.

Mr. Preston, from the Committee to whom was referred, on the 11th of last month, the 5th item of the report on the Governor's address, on leave now given, reported the Bill, entitled, "*An Act to provide for the Education of the Poor, gratis;*" which was read the first time.

The Bill, entitled, "*An Act to reduce the Number of Terms for holding Courts in the County of Greene,*" was read the third time.

Whereupon,

The question, shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act to enable the Governor of this Commonwealth to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, near the Schuylkill Permanent Bridge, through Darby and Chester, to the Delaware State Line;*" was postponed, for the present.

On motion of Mr. Lacock and Mr. Wayne,

The Committee of the Whole was discharged from the further consideration of the Bill, entitled, "*An Act granting a Tract of Donation-land to Michael Sechler, a Soldier in the late War.*"

Whereupon,

The said Bill was referred to Mr. Lacock, Mr. Borrows, and Mr. Irish, to consider and report thereon.

On motion of Mr. Weaver and Mr. Roberts,

The Senate resumed the consideration of the Bill, entitled, "*An Act making a new Arrangement of the Treasury Department.*"



The consideration of the question, Shall this Bill be prepared for the third reading? recurring,

A motion was made, by Mr. Weaver and Mr. Roberts,

To recommit the Bill to the Committee of the Whole; which was agreed to.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the Chair, for the further consideration of the said Bill.

And, after some time,

The Committee rose, and reported the Bill, with amendments, which were read as reported.

On motion of Mr. Weaver and Mr. Lacock,

The said Bill, as reported by Committee of the Whole, was considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That it be prepared for the third reading.

On motion of Mr. Roberts and Mr. Mitchell,

The following Resolution was twice read, considered, and adopted, *to wit* :

*Resolved*, That the Book, containing the Schedule of the names of the Connecticut Settlers, the quantity of land contained in each survey in the 15 townships in Luzerne county, &c. reported to Senate by the Surveyor-general, be returned to him by the Clerk of Senate; and that the Surveyor-general be, and hereby is, required to report to Senate the aggregate amount of acres, for which certificates have issued to Connecticut Settlers, in each of the townships aforesaid, and of the aggregate amount of acres in the whole of said townships; together with the whole number of acres contained in each respectively, certificated, and not certificated, to Connecticut Settlers.

The Bill, entitled, "*An Act for the Benefit of the Heirs of Edward Woodward, deceased*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived.

Thereupon,

On motion of Mr. Roberts and Mr. Sommer,

The report of the Committee of the Whole, on said Bill, was considered, and adopted; so the Bill was lost.

Mr. Udree asked and obtained leave of absence, for Mr. Bright, for eight days.

Mr. Preston asked and obtained leave of absence, for one week.

A motion was made, by Mr. Lacock and Mr. Roberts (who voted with the majority)

To reconsider the question, on adopting the report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act to erect the Town of Kutztown, in the County of Berks, into a Borough;*" decided on the 21st of this month; which was not agreed to.

Adjourned, till 10 o'clock tomorrow morning.



Friday, January 27, 1809.

Mr. Miller presented the petition of Benjamin Hough, of the township of Warwick, in the county of Bucks, stating that a public road, which is not much used, passes through and injures his land; while a road, equally convenient, could be opened on the boundary thereof. That he has, without effect, applied to the Courts for relief. He therefore prays the attention of the Legislature to his case. And the same was twice read, and referred to Mr. Miller, Mr. Erwin, and Mr. Grefs, to consider and report thereon.

Mr. Rahm presented the petition of Philip Fitzimons, stating his early and active services, as a Sergeant, in Captain Boyle's company, in the third regiment of Pennsylvania line. That he was in the great battles of Brandywine and Germantown. That he was wounded in a skirmish in Newjersey, which obli-

ged him to take refuge in an hospital. That he afterwards followed the destinies of his Country, and was employed on the frontier, in opposing the ravages of the Indians. That he was seized with a violent epidemic, by which he lost several of his toes. That he conceives he has not been compensated; and therefore prays relief. And the said petition was twice read, and referred to Mr. Rahm, Mr. Slaymaker, and Mr. Blocher, to consider and report thereon.

Mr. Miller presented the memorial of Samuel Riddle, of the county of Huntingdon, stating that he has it in contemplation to publish, "Notes relative to Land Titles in this Commonwealth." For this purpose, he requests the Legislature will authorise him to have free access to the papers in the Land-offices, free of the usual fees, on the ground of the public benefit which must result from his Work. And the said memorial was twice read, and referred to Mr. Miller, Mr. Campbell, and Mr. Weaver, to consider and report thereon.

The Bill, entitled, "*An Act making a new Arrangement of the Treasury Department*," was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Weaver and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Borrows,  
Dorsey,  
Doty,  
Gress,  
Heston,  
Hiefter,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Brady,  
Campbell,  
Erwin,

YEAS.  
Messrs. Lattimore,  
M'Arthur,  
Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree.  
Weaver,  
Lane (*Speaker*). 20.

NAYS.  
Messrs. Slaymaker,  
Sommer,  
Wayne. 6.

Twenty Yeas, and six Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That the said Bill be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described,*" was read the third time.

Whereupon,

The question, shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Brady in the chair, the consideration of the Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches.*"

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased;*" which was read the first time.

Moved by Mr. Roberts and Mr. Doty,

*Resolved*, That a Committee be appointed, to join a Committee of the House of Representatives (should that House think proper to make such an appointment) for the purpose of examining into the state of the Pennsylvania and Philadelphia Banks; and that the said Committee be, and they are hereby, instructed to prosecute the inquiry, as far as the Laws incorporating those Banks will authorise; and make report.

*Ordered* to lie upon the table.

Adjourned, till 10 o'clock tomorrow morning.

Saturday, January 28, 1809.

Mr. Dorsey presented the memorial and representation of the subscribers thereto, citizens of Philadelphia, composing the Premium Society, stating the nature and object of their Society, and its great advantage to this State, as well as the United States generally, by the encouragement given to agriculture and the various mechanical arts; that, at this time of exclusion from the european world, an attention to domestic manufactures becomes of the first importance: The memorialists therefore pray the countenance of the Legislature, to an institution which promises such great advantages to the State. And the said memorial was twice read, and referred to Mr. Dorsey, Mr. Irish, and Mr. Borrows, to consider and report thereon.

The Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Weaver and Mr Roberts,

To amend the section, by inserting a provision, directing that the Notes issued at the Philadelphia Bank, or its Branches, shall be payable at either.

A motion was then made, by Mr. Dorsey and Mr. Hiestler,

To amend the amendment, by extending the foregoing provision to the Bank of Pennsylvania; which was not agreed to.

The original motion was agreed to.

A motion was then made, by Mr. Weaver and Mr. Roberts,

Further to amend the section, by striking therefrom the following:

"In any town or borough of this State, without the consent of a majority of the taxable inhabitants of such town or borough." And insert in place thereof;

“ Within any county of this State, without the previous consent, first had and obtained, of a majority of the citizens thereof; to be ascertained in the following manner :

“ When the Directors of the said Bank, or a majority of them, shall think it will be advantageous to the institution, and to the trade and agriculture of any particular county, to establish an Office of Discount and Deposit therein; they shall, under their hands and seals, give notice thereof to the Sheriff of said county, at least three months previous to the annual election; and the said Sheriff shall give public notice, by advertisement posted up in the most public places in each district within such county, or by publication in one or more Newspapers printed therein, at least 20 days before the said general election, “ that an election is to be held for the purpose of determining, whether an Office of Discount and Deposit shall be opened within said county.”

“ And the said election shall be held at the same time, at the same places, in the same manner, and by the same Officers appointed, by Law, for conducting the said general election. And each citizen, who shall have a right to vote for Members of the State Legislature, shall have the right of voting for or against the introduction of the said Office. And the form of words which shall be used in the ticket, by those who shall vote in favor of the Office, shall be “ *Bank;*” and of the ticket, to be used by those who shall vote against the Office, shall be “ *No Bank.*” And each kind shall be folded, and indorsed with the words “ *Bank Ticket;*” and in that form delivered to the Inspector, to be counted off, and the majority ascertained, under the Laws and regulations for conducting the general elections within this Commonwealth.

“ And when the whole number of votes, for and against the introduction of the Office of Discount and Deposit, given within such county, shall have been ascertained, at the general meeting of the Judges of the respective districts; they shall, within 10 days thereafter, under their hands and seals, give notice of the same to the Sheriff of said county; and who shall,

under his hand and seal, within 30 days after his having received the same from the said Judges, notify the said Directors, of the Philadelphia Bank, of the result of such election.

“And if the majority of the votes, thus given, shall have been in favor of the introduction of said Office of Discount and Deposit; then, and not otherwise, the said Directors, or a majority of them, shall be authorized to establish the same.”

Whereupon,

On motion of Mr. Sommer and Mr. Lacoek,  
The further consideration of the motion to amend, and the Bill, were postponed, for the present.

Agreeably to order,

The Bill, entitled, “*An Act dissolving the Marriage of John M’Clellen and Margaret M’Clellen, his Wife,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacoek in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

On motion of Mr. Mitchell and Mr. Sommer,  
The said Bill was considered by section, and agreed to.

The preamble and title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, “*An Act further extending the Act, entitled, “An Act for the Relief of divers Inhabitants of the County of Adams,”*” was read the second time, considered by section, and agreed to.

*Ordered*, That it be prepared for the third reading.

On leave given, Mr. Lacoek read in his place, and by permission presented to the Chair, “*a Resolution authorizing the Secretary of the Commonwealth to purchase a farther Number of Carey and Bioren’s Edition of the Laws of this Commonwealth;*” which was read the first time.

On motion, and by special order,

The said Resolution was read the second time, considered, and adopted.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

On motion of Mr. Roberts and Mr. Doty,

The Resolution, respecting the inquiry into the Banks of Pennsylvania and Philadelphia, read yesterday, was again read, considered, and adopted.

*Ordered*, That Mr. Roberts, Mr. Sommer, and Mr. Brady be the Committee for that purpose. And,

That the Clerk acquaint the House of Representatives thereof.

The report of the Committee, on the subject of selecting and returning Jurors, &c. read on the 17th of this month, was again read, and the Resolution, *to wit* :

*“ Resolved*, That a Committee be appointed to bring in a Bill, to repeal so much of an Act, entitled, *“ A Supplement to the Act, entitled, “ An Act directing the Mode of selecting and returning Jurors,”* as relates to the selecting and returning Jurors by the Township *Assessors* ; and also, allowing the Parties, in civil suits, the right of peremptorily challenging Jurors ;”

Being under consideration, a division of the same was called for by Mr. Lacock ; so that a question might first be taken on that part ending with the word *“ Assessors.”*

Whereupon,

The question, on adopting the first part of the Resolution, being put, was determined in the affirmative.

The second part of the Resolution being under consideration,

A motion was made, by Mr. Lacock and Mr. Laird,

To fill the Blank with the word *“ three ;”* which was agreed to.

Thereupon,

The Yeas and Nays, on agreeing to the same, as amended, were required by Mr. Lacock and Mr. Roberts ; and, on the question being put, the Members voted as follow, *to wit* :



## YEAS.

Messrs. Blocher,  
Borrows,  
Dorsey,  
Doty,  
Hiester,  
Irish,  
Lacock,  
Laird,

## NAYS.

Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,

## YEAS.

Messrs. M'Arthur,  
Palmer,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 16.

## NAYS.

Messrs. Mayer,  
Mitchell,  
Rahm,  
Wayne. 9.

Sixteen Yeas, nine Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the Committee who brought in the report, be the Committee for the purposes expressed in the Resolution.

Mr. Borrows asked and obtained leave of absence, for one week.

Adjourned, till 10 o'clock Monday morning.

—:o:o:~:o:o:—

Monday, January 30, 1809.

The Speaker laid before the Senate a letter from George A. Baker, Treasurer of the Corporation of the city of Philadelphia, informing that, "in compliance with a Resolution of the Select and Common Councils, of the city of Philadelphia," he transmits "five copies of the Accounts of the said Corporation, for the year 1807." And the said letter was read, and, with the Accounts,

Laid upon the table.

Mr. M'Arthur presented the petition of the subscribers thereto, the Commissioners and other inhabitants of Mercer county, stating, that former Commissioners had made a contract with Workmen, to erect the Courthouse and Offices in said county. That the

funds, from which it was calculated to pay the said Workmen, are the proceeds of the sales of lots, in the town of Mercer; which have been loaned to different persons, and which cannot now be collected, from the unusual scarcity of money. That the Buildings must remain unfinished, and the Workmen unpaid, even for what is now due, unless the Commissioners can procure a temporary loan. They therefore pray the Legislature to grant them a loan of 3000 dollars, for three years. And the same was twice read, and referred to Mr. M'Arthur, Mr. Mayer, and Mr. Slaymaker, to consider and report thereon.

Mr. Stevenson presented the petition of George Blakely, of Washington county, stating that he enlisted in the revolutionary Army, in the year 1776, and was actively concerned in fighting the battles of his Country; that he was severely wounded at the battle of the Paoli, and was then taken prisoner; that he was paid in a depreciated paper currency: He therefore prays relief. And the said petition was twice read, and referred to Mr. Stevenson, Mr. Palmer, and Mr. Irish, to consider and report thereon.

Mr. M'Arthur presented the Petition of the subscribers thereto, inhabitants of Crawford county, stating that the Muskrat and Beaver, animals highly valuable for their fur, abound in various parts of that county; that the present mode of catching (by spearing) them, if not speedily prevented, by Law, will soon destroy the whole stock of those useful animals. And the said petition was twice read, and referred to Mr. M'Arthur Mr. Gress, and Mr. Udree, to consider and report thereon.

The Bill, entitled, "*An Act dissolving the Marriage of John M'Clellen and Margaret M'Clellen, his Wife.*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act for the Relief of the Heirs of Frederick Vernon, deceased,*" was read the second time

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act confirming the Title of Manning Martain, to certain Lands therein mentioned,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with one amendment; which was read as reported.

The Clerk of the House of Representatives presented, for concurrence, "*a Resolution for procuring a certain Number of Copies of the Minutes of the Convention, that framed the present Constitution;*" which was read the first time.

Mr. Laird, from the Committee appointed for that purpose, made report:

That, in conjunction with the Committee of the House of Representatives, the Committee had presented to the Governor, for his approbation, the Bill, entitled, "*An Act to amend an Act, entitled, 'An Act granting an Annuity to Thomas Snowden.'*"

Adjourned, till 10 o'clock tomorrow morning.

Tuesday, January 31, 1809.

Mr. Erwin presented the remonstrance and petition of the subscribers thereto, inhabitants of Bucks county, stating that they see, with surprize, the efforts making by Benjamin Hough, to induce the Legislature to vacate that part of an ancient public road, which passes through his land; a road which has been in use for 60 years. That the Courts are competent to decide all questions of this kind, and have actually decided the complaint of Mr. Hough, respecting the injury he complains of; and therefore the petitioners pray the Legislature will not interfere. And the said remonstrance was read, and referred to the Committee to whom was referred the petition of Benjamin Hough.

Mr. Dorsey presented the memorial of the subscribers thereto, praying for an Act of incorporation, under the name of "the Millgrove Mine Company," for the purpose of exploring and working the valuable lead-mine on Perkioming creek, in Montgomery county. And the same was twice read, and referred to Mr. Dorsey, Mr. Lattimore, and Mr. Rankin, to consider and report thereon.

Mr. Lacock, from the Committee appointed, on the 28th of this month, for that purpose, reported the Bill, entitled, "*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors;*" which was read the first time.

The Bill, entitled, "*An Act confirming the Title of Manning Martain, to certain Lands therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, de-*

*ceased,"* was read the second time, as reported by Committee of the Whole, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Palmer and Mr. Wayne,

To postpone the further consideration of the Bill, generally; which was not agreed to.

A motion was then made, by Mr. Wayne and Mr. Palmer,

To postpone the further consideration of the Bill, for the present; which was not agreed to.

Whereupon,

After debate,

The Yeas and Nays, on adopting the section, were required by Mr. Lacock and Mr. Mitchell; and, on the question being put, the Members voted as follow, *to wit* :

## YEAS.

Messrs. Dorsey,  
Doty,  
Erwin,  
Grefs,  
Hiestler,  
Lacock,  
Laird,  
Lattimore,  
M'Arthur,

## NAYS.

Messrs. Blocher,  
Brady,  
Campbell,  
Heston,  
Irish,  
Mayer,

## YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver. 17.

## NAYS.

Messrs. Miller,  
Palmer,  
Slaymaker,  
Wayne,  
Lane (*Speaker*). 11.

Seventeen Yeas, eleven Nays; by which it appeared, the question was determined in the affirmative.

Section 2 (Section 3 in the Bill as it came from the House of Representatives) being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Mitchell and Mr. Lacock; and, on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Doty,  
Gress,  
Hiester,  
Lacock,

NAYS.  
Messrs. Blocher,  
Erwin,  
Heston,  
Irish,  
Lattimore,  
Mayer,  
Miller,  
Palmer,

YEAS.  
Messrs. Laird,  
M'Arthur,  
Mitchell,  
Sommer,  
Stevenson,  
Lane (*Speaker*). 13.

NAYS.  
Messrs. Rahm,  
Rankin,  
Roberts,  
Slaymaker,  
Udree,  
Wayne,  
Weaver. 15.

Thirteen Yeas, and fifteen Nays; by which it appeared, that the question was determined in the negative.

The preamble and title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled, "*An Act concerning Libels*;" which was read the first time.

A motion was made, by Mr. Weaver and Mr. Laird,

To dispense with the rule of calling over the Committee-list, weekly, till the first Tuesday in March next.

On which motion, Mr. Roberts and Mr. Udree required the Yeas and Nays; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Laird,  
Lattimore,

NAYS.  
Messrs. Blocher,  
Doty,

YEAS.  
Messrs. M'Arthur,  
Miller,  
Slaymaker,  
Wayne,  
Weaver. 10.

NAYS.  
Messrs. Erwin,  
Heston,

## NAYS.

Messrs. Hiester,  
Irish,  
Lacock,  
Mayer,  
Palmer,  
Rahm,

## NAYS.

Messrs. Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Lane (*Speaker*). 16.

Ten Yeas, sixteen Nays; by which it appeared, that the question was determined in the negative.

Thereupon,

Agreeably to rule,

The Committee-list was called over.

On motion of Mr. Weaver and Mr. Lacock,

*Agreed*, That the Committee to whom was referred the message and documents of the Governor, respecting the lien of the Commonwealth on the property of the late William Nichols, be discharged from the further consideration thereof.

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, February 1, 1809.

Mr. Rahm presented the petition of the subscribers thereto, inhabitants of Dauphin and Adams counties, praying that a State Road may be laid out and opened, from Harrisburg, by the way of Gettysburg, towards the City of Washington; and the same was twice read, and referred to Mr. Rahm, Mr. Roberts, and Mr. Doty, to consider and report thereon.

Mr. Dorsey, from the Committee to whom was, yesterday, referred the petition of the subscribers thereto, on leave now given, reported the Bill, entitled, "*An Act to incorporate the Millgrove Mine Company*;" which was read the first time.

Mr. Dorsey, from the Committee to whom was referred, on the 19th instant, the memorial of the President and Directors, of the Female Association, of Philadelphia, for the relief of women and children in reduced circumstances, on leave now given, reported the Bill, entitled, "*An Act to incorporate the Female*

*Association of Philadelphia ;*" which was read the first time.

The Bill, entitled, "*An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased,*" was read the third time.

Whereupon,

The Yeas and Nays, on the question, Shall this Bill pass? were required by Mr. M'Arthur and Mr. Lacock.

And, after debate,

On the question being put, the Members voted as follow, *to wit* :

YEAS.		YEAS.	
Messrs. Campbell,		Messrs. Mitchell,	
Dorsey,		Rahm,	
Doty,		Rankin,	
Erwin,		Roberts,	
Lacock,		Sommer,	
Laird,		Stevenson,	
Lattimore,		Udree,	
M'Arthur,		Weaver.	16.
NAYS.		NAYS.	
Messrs. Blocher,		Messrs. Miller,	
Brady,		Palmer,	
Heston,		Slaymaker,	
Irish,		Wayne,	
Mayer,		Lane ( <i>Speaker</i> ).	10.

Sixteen Yeas, ten Nays ; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be returned to the House of Representatives, with information that Senate have passed the same, with amendments ; in which the concurrence of that House is requested.

The amendments are, to strike out sections 2 and 3.

The Bill, entitled, "*An Act for the Relief of Alexander Ruffel,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the Chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived



The Clerk of the House of Representatives presented, for concurrence, six Bills, entitled, respectively, as follow, to wit :

1. *An Act supplementary to an Act, to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on Brandewine, to the Line of the State, in a Direction towards Baltimore.*

2. *An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned.*

3. *An Act to incorporate the Philadelphia Society, for Promoting Agriculture.*

4. *A Supplement to an Act, entitled, "An Act for the Relief of the Poor."*

5. *An Act to extend an Act, entitled, "An Act concerning Strays."*

6. *An Act to amend an Act, entitled, "An Act granting an Annuity to Edward Cavanough."*

And, for signature, two Bills, entitled as follow, viz.

1. *An Act dissolving the Marriage of John M'Clellen and Magaret M'Clellen, his Wife.*

2. *An Act further extending the Act, entitled, "An Act for the Relief of divers Inhabitants of the County of Adams."*

He returned the Bill, entitled, "*An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School.*" And informed, that the House of Representatives have passed the said Bill, with amendments ; in which the concurrence of Senate is requested.

The Bills, presented for concurrence, were severally read the first time.

The Speaker signed the Bills presented for signature.

The amendments, by the House of Representatives, on the Bill, entitled, "*An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School ;*" were read as follow, to wit :

Section 1. Line 8. Make "*Cup*" read "*Cope.*"

Section 1. Line 9. Make "*Christopher*" read "*Christian.*"

Preamble. Line 8. After the word "*School,*" insert, "*or Schools.*"

11. Make a similar amendment.

Whereupon,

On motion of Mr. Brady and Mr. Laird,  
The said amendments, were again read, considered,  
and concurred in.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

Adjourned, till 10 o'clock tomorrow morning.



Thursday, February 2, 1809.

Mr. Laird, from the Committee appointed for that purpose, made report :

That, the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills, entitled, as follow, *to wit* :

"*An Act further extending an Act, entitled, "An Act for the Relief of divers Inhabitants of the County of Adams."*

"*An Act dissolving the Marriage of John M'Clellen, and Margaret M'Clellen, his Wife."*

Mr. Miller presented the petition of Alexander Rufel, stating that, as the claim which he has now before the Senate, for depreciation of pay for services in the late Revolution, does not appear to meet the sanction of the Senate ; and as he deems his situation peculiarly embarrassing, in consequence of the settlement of his accounts, as late Brigade-inspector of York county ; upon which settlement no charge was allowed, unless a regular receipt could be produced ; that he expended a great deal of money, in his official capacity, for which he took no receipts, but made entries in his Book : He therefore prays, that the Comptroller-general may be authorised to stay proceedings against him, for the balance which was found, by the said settle-

ment, to be due by him. And the said petition was read, and

Laid upon the table.

Mr. M'Arthur presented the petition of William C. Smyth, of the borough of Lancaster, Printer, stating that in consequence of his having contracted for the printing of the Journal of the Senate (in the English language) of last Session, for a price which, so far from proving a compensation for his labor, has involved him in debt and embarrassment. He therefore prays relief. And the said petition was twice read, and referred to the Committee of Accounts, to consider and report thereon.

Mr. Irish presented the petition of the Executors of the estate of William Porter, late of Pittsburg, deceased, stating that the said Porter, a short time before his death, made a parole contract with George Wallace, by which it was agreed, that the said Porter should exchange an undivided fourth part of a certain lot, for an undivided fourth part of a lot belonging to the said Wallace, who was to pay the said Porter the sum of 80 dollars, as a difference in the value of the said pieces of ground; that the contract was so far completed, in the lifetime of Mr. Porter, as to the payment of the money. The petitioners pray the Legislature to enable them, by Law, to give Mr. Wallace a title. And the said petition was twice read, and referred to Mr. Irish, Mr. Stevenson. and Mr. Bright, to consider and report thereon.

Agreeably to order,

“The Resolution for procuring a certain number of copies of the Minutes of the Convention, which formed the present Constitution,” was read the second time; and, being under consideration,

A motion was made, by Mr. Lacock and Mr. Laird, To amend the same, by striking out the word “*Prothonotary*,” and inserting, in place thereof, “*Commissioners*,” so that the latter, and not the former, shall have the care of the said Minutes; which was agreed to.

A motion was then made, by Mr. Weaver and Mr. Roberts,

Further to amend the Resolution, by inserting a provision limiting the price of the said Minutes to three dollars per copy. Which was agreed to.

Whereupon,

On motion of Mr. Lacock and Mr. Laird,

The said Resolution was referred to Mr. Weaver, Mr. Lacock, and Mr. Dorsey, to consider and report thereon.

The Bill, entitled, "*An Act authorising Jacob Kimmell and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands, therein mentioned,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Brady in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Whereupon,

The said Bill was referred to Mr. Weaver, Mr. Wayne, and Mr. Mayer, to consider and report thereon.

Adjourned, till 10 o'clock tomorrow morning.



Friday, February 3, 1809.

Mr. Campbell presented the memorial of the subscribers thereto, inhabitants of the Borough of York, stating that the inhabitants of said Borough are subjected to great inconveniences, from the want of a regular and sufficient supply of water, as well to guard against the danger of fire, as for the common purposes of life. That a former Legislature granted a Lottery for this purpose: But, as it was found impracticable to sell the Tickets, the object was suspended. The petitioners therefore pray for an Act, authorising the establishment of a company, with corporate powers, to enable them to supply the said borough with water. And the said memorial was twice read, and

referred to Mr. Campbell, Mr. Miller, and Mr. Brady, to consider and report thereon.

Mr. Weaver, from the Committee to whom was, yesterday, referred the Resolution, relative to the Minutes of the Convention, reported the said Resolution, with amendments; which were read as reported.

Mr. Sommer, from the Committee to whom was referred, on the 25th of last month, the Bill, entitled, "*An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes,*" reported the said Bill, with amendments; which were read as reported.

Mr. Wayne, from the Committee to whom was referred, on the 13th of last month, the petition of Hugh Quay, on leave now given, reported the Bill; entitled, "*An Act for the Relief of Hugh Quay;*" which was read the first time.

Mr. Miller, from the Committee to whom were referred, on the 27th and 31st of last month, the petition of Benjamin Hough, and the remonstrance of the subscribers thereto, inhabitants of Bucks county, in opposition to the petition of Benjamin Hough; made the following report, *to wit*:

That the Committee have duly attended to the subject. Benjamin Hough complains of having sustained great injury, by a public road cutting his land in an angular direction; and which evil, he says, could be effectually removed, by changing the road to a division-line between him and an adjoining neighbor. For this purpose, he states, that he has applied to the Court of Quarter Sessions of the county of Bucks; that sundry views have been held, under orders issued from the said Court: But that, after a deliberate and full trial, it was determined, by the Court and the Counsel employed in the cause, that the existing Laws do not permit of a power being given to the same set of viewers, both to lay out and vacate, at the same time; a power which, in the opinion of the Committee, could be safely and advantageously exercised, both as it respects the public and individuals; and would thereby remove a serious inconvenience, which has been experienced in a

variety of cases, where the viewers appointed have first to report on a road which, in many instances, cannot be said to be useless; because the very circumstance, which may render it such, may depend on the viewers being able to provide a suitable substitute for the one to be vacated.

Viewing the present existing Laws on this subject, as imposing an unnecessary restriction on the powers to be exercised by viewers, as regards the laying out, or of vacating, public or private roads or highways within this Commonwealth, the Committee are fully of opinion, that the present Laws on this subject ought to be so amended and altered, as to authorise the viewers, under the direction of the Court of Quarter Sessions, to view and make a report of such roads as have heretofore been laid out and occupied; to vacate the same, where, in their opinion, they may be thought useless; or where, although useful, to authorise them to report a substitute. The Committee, therefore, offer the following Resolution:

*Resolved*, That a Committee be appointed to bring in a Bill, embracing the above principles.

Agreeably to order,

The Bill, entitled, "*An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

On motion of Mr. Weaver and Mr. Mitchell,

The said Bill was considered by section, and agreed to.

The preamble and title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

The Speaker laid before the Senate a letter, from the Secretary of the Commonwealth, which was read as follows, *to wit*:

SIR,

I have to inform the Legislature, that the Great Seal of the State, as recognized by Act of Assembly, of January 8, 1791, is so broken, as to be scarcely fit for use. Doubting the propriety of procuring a new one, without the special authority of the Legislature, I thought it my duty to make the above communication; and wait the direction of the Legislature, on the subject.

I am, sir,

Your obedient servant.

N. B. BOILEAU.

Sec'ry's Office. Feb. 2, 1809.

P. C. LANE, *Speaker of Senate.*

Ordered to lie upon the table.

Adjourned, till 10 o'clock tomorrow morning.

—:o:o:~:o:o:—

Saturday, February 4, 1809.

Mr. Weaver, from the Committee to whom was referred, on the 2d of this month, the Bill, entitled, "*An Act authorising Jacob Kimmell and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands therein mentioned;*" reported the said Bill, with amendments, which were read as reported.

The Bill, entitled, "*An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Philadelphia Society, for promoting Agriculture,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Bill, entitled, "*An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes,*" was read the second time, as reported by Select Committee.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Bill, entitled, "*An Act supplementary to the several Laws of this Commonwealth, respecting Foreign Attachments,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Thereupon,

The said Bill was referred to Mr. Lacock, Mr. Wayne, and Mr. Sommer, to consider and report thereon.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return the same to the House of Representatives, in which they originated:



1. *An Act to amend an Act, entitled, "An Act granting an Annuity to Thomas Snowden."*

2. *An Act dissolving the Marriage of John M'Clellen and Margaret M'Clellen, his Wife."*

3. *An Act further extending the Act, entitled, "An Act for the Relief of divers Inhabitants of the County of Adams."*

SIMON SNYDER.

*Lancaster, Feb. 4, 1809.*

The Clerk of the House of Representatives informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

*"An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased."*

He returned the Bill, entitled,

*"An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth."* And

*"The Resolution, authorising the Secretary of the Commonwealth, to purchase a further Number of Carey and Bioren's Edition of the Laws."*

And informed that the House of Representatives have passed the said Bill and Resolution; the first, with one amendment; and the last, without amendment.

And he presented, for concurrence, four Bills, entitled, respectively as follow, to wit:

1. *An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the northern Bank of Codorus Creek, opposite the north End of Georgestreet, in the Borough of York, to the Canal Ferry, on the River Susquehanna, and from thence, up the said River, to the Head of the Conewago Falls.*

2. *A Supplement to an Act, entitled, "An Act to regulate the Fisheries in the River Delaware, and its Branches, and for other Purposes."*

3. *An Act concerning Contempts of Court.*

4. *An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Calls Ferry, on the Susquehanna, to the Maryland Line, in a Direction, to the City*

*of Washington ; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Calls Ferry, aforesaid.*

Which were read the first time.

The amendment, by the House of Representatives, on the Bill, entitled, "*An Act to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth,*" was read as follows, to wit :

Add, to the end of Section 2, the words, "*except in cases of wrongful taking, which would amount to trespass.*"

On motion of Mr. Miller and Mr. Brady,

The report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was again read.

Whereupon,

The question, will Senate adopt the report of the Committee of the Whole? being put, was determined in the negative.

And the said Bill being again under consideration,

A motion was made, by Mr. Miller and Mr. Brady, To refer the said Bill to a Select Committee, to consider and report thereon.

*Ordered,* That Mr. Miller, Mr. Brady, and Mr. Erwin, be the Committee.

The petition of Alexander Russell, read on the 2d of this month, was again read, and referred to the same Committee.

Adjourned, till 10 o'clock Monday morning.



Monday, February 6, 1809.

Mr. Sommer presented the memorial of the subscribers thereto, inhabitants of the city and county of Philadelphia, stating that the Bill now before the Legislature to incorporate a Company, for the purpose of making a Turnpike Road, from the Conewaga Falls, on the River Susquehanna, to the Borough of York; from which an Artificial road, towards Baltimore, is in a state of considerable forwardness.

That, should this Bill pass, and the road be made agreeably thereto, a large quantity of produce, which is now conveyed to the city of Philadelphia, will be transported to the city of Baltimore; to the great injury of the city of Philadelphia and the State at large. They therefore pray, that the said Bill may not be passed into a law. And the said memorial was read, and

Laid upon the table.

The Bill, entitled, "*An Act to incorporate the Philadelphia Society, for promoting Agriculture,*" was read the second time, as reported by Committee of the Whole, on the 4th of this month, considered by section, and agreed to.

The preamble and title having been agreed to,  
Ordered, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act concerning Libels,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Thursday next, the 9th of this month.

Agreeably to order,

The Bill, entitled, "*A Supplement to the Act, entitled, An Act for the Relief of the Poor,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Wednesday next, the 8th of this month.

Adjourned, till 10 o'clock tomorrow morning.

Tuesday, February 7, 1809.

The Speaker laid before the Senate a letter, of which the following is a copy :

*Philadelphia, Feb. 2, 1809.*

SIR,

I have the pleasure to present to you, for inspection by the Members of the Senate, two specimens of Wool, which, I flatter myself, will afford them satisfaction.

No. 1. Is from a full-blood Spanish Ram, of Col. Humprey's stock, and my tup Ram, of last season. The dirty appearance, on the extremities of the lock, is owing to the abundance of yolk or perspirable matter which always abounds in the breed, when healthy; and, being of an oily nature, causes the dirt to adhere to it.

No. 2. Is from a Ewe, of the third cross, and exhibits an approach, in quality, so near to that of the Rams, as must convince all who see it what can be done, in the improvement of a fleece, in a short time, by due attention. The Ewe from which the specimen, No. 2. is taken, is from a black Ram imported by myself, direct from Spain, in the Winter 1803-4.

Such, sir, is the treasure which Pennsylvania possesses: To the multiplication of which there will be no end; provided proper steps are immediately taken. It will remain with the Legislature to say, whether encouragement will be given to continue increasing the stock, by protecting Laws; or, whether Dogs (animals which, on this side of the mountain, I pronounce totally useless to the Farmer) shall be permitted to increase, without limitation, and destroy our Sheep, when and where they please.

I beg, sir, you will except assurances of my high respect.

JAMES MEASE.

*The honorable P. C. LANE, Speaker  
of the Senate of Pennsylvania.*

Ordered to lie upon the table,

The Bill, entitled, "*An Act to incorporate the Philadelphia Society, for promoting Agriculture,*" was read the third time.

Whereupon,

The question, shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act supplementary to an Act, to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported,

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Female Association of Philadelphia,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with one amendment; which was read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*“An Act to declare and establish the Public Seal of the Commonwealth.”*

He also presented, for signature, the Bills and Resolution, entitled, respectively, as follow, *to wit* :

1. *“An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School.”*

2. *An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned.*

3. *An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased.”*

4. *A Resolution, authorising the Secretary of the Commonwealth, to purchase a further Number of Carey and Bioren’s Edition of the Laws.*

And he returned the Bill, entitled,

*“An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described.”*

And informed, that the House of Representatives have passed the said Bill, with amendments; in which the concurrence of the Senate is requested.

Which amendments were read as follow, *to wit* :

Section 1. Strike out all that follows the word “ground,” in Line 7, to the word “either,” in line 9; and insert, in lieu thereof, these words, *“containing 59 acres and one quarter, patented in the name of John Probst, with some improvements thereon; situate in North-huntingdon township, Westmoreland county, aforesaid, adjoining Lands of William Fullerton, Jacob Byerly, and others.”*

Add, to the end of the section, *“And provided also, that the same shall not be sold for a less sum, than the amount of the debt and interest for which he received the same.”*

The Bill, presented for concurrence, was read the first time.

The Speaker signed the Bills and Resolution, presented for signature.

On motion of Mr. Brady and Mr. Miller, and by special order,

The amendments, by the House of Representatives, on the Bill, entitled, "*An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described,*" were read the second time.

Whereupon,

*Resolved*, That Senate do concur in the first of said amendments; but that they do not concur in the second. And

*Ordered*, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Lacock and Mr. Roberts,

The amendment, by the House of Representatives, on the Bill, entitled, "*An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth;*" was read the second time.

Whereupon,

*Resolved*, That Senate do not concur therein. And

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The report of the Committee, on the petition of Benjamin Hough, and the remonstrance in opposition to said petition, read on the 3d of this month, were again read, considered, and agreed to.

*Ordered*, That the Committee, who brought in the report, be a Committee to bring in a Bill, embracing the principles contained in the report.

Mr. Laird, from the Committee appointed for that purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, three Bills and a Resolution, entitled, respectively, as follow, *to wit*:

1. *An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County; in certain Trustees and their Successors, for the Use of a School.*

2. *An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased.*

3. *An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned.*

4. *A Resolution, authorising the Secretary of the Commonwealth, to purchase a further Number of Carey and Bioren's Edition of the Laws.*

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, February 8, 1809.

Mr. Preston presented the memorial of the subscribers thereto, inhabitants of Delaware county, stating that they are informed that a Bill is now before the Legislature; for the purpose of making a turnpike from Philadelphia, through Darby, Chester, &c. which, if passed into a Law, and the turnpike made, will be very injurious to the citizens of the said county, living on and near that part of the great southern road which is intended to be turnpiked. That the road, in its natural state, is equal to any, for at least nine months in the year. That the turnpike road from Philadelphia, by Chad's Ford, is convenient for the few wagons which, at present, pass on the Darby road. They therefore pray that the said Bill may not pass into a Law. And the said memorial was twice read, and referred to the Committee of the Whole, when they shall sit on the said Bill.

Mr. Stevenson, from the Committee to whom was referred, on the 30th of last month, the petition of George Blakely, made the following report:

That it is represented, by the petitioner, that he enlisted in the rifle-company commanded by Captain Moses M'Clain, in the 6th Pennsylvania regiment, on the 22d day of January, in the year 1776; and went in that year, as a private soldier, to Canada. That he was at the battle of the Three Rivers, under General Thompson. That, about the latter end of that year, he enlisted in Captain Hupps or Upps company, and



was attached to Col. Hartley's regiment; and that, in the year 1777, he was transferred to Captain John M'Dowell's company, in the 7th Pennsylvania regiment: In which he continued, until discharged, in the year 1781. That he was severely wounded in the battle near Paoli, under General Wayne, by receiving three stabs in his body, by a bayonet, and several wounds on his head, by a musket; and was made prisoner at the same time; and was afterwards exchanged, with about twenty others. And that he is now old, and unable to procure a livelihood, by manual labor, by reason of his wounds; and prays the Legislature to grant him a pension, or such other relief as they may think fit.

The Committee are induced, from the testimony accompanying his petition, as well as from other circumstances, to believe that his representations are true; and that his case is a proper subject for the interference of the Legislature: They therefore offer the following Resolution to the consideration of the Senate, *viz.*

*Resolved*, That a Committee be appointed to bring in a Bill, granting to the said George Blakely the sum of            dollars, and an annuity of            dollars during his natural life.

Mr. Campbell, from the Committee to whom was referred, on the 3d of this month, the memorial of the subscribers thereto, inhabitants of the borough of York, on leave now given, reported the Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water;*" which was read the first time.

Mr. Irish, from the Committee to whom was referred, on the 2d of this month, the petition of the executors of the estate of William Porter, late of Pittsburg, deceased, on leave now given, reported the Bill, entitled, "*An Act to empower Anthony Beelin, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter of a Lot of Ground, in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned;*" which was read the first time.

The Bill, entitled, "*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 was agreed to.

On motion, of Mr. Lacock and Mr. Roberts, it was *Agreed*, to transpose sections 2 and 3.

And section 3, of the printed Bill, now become section 2, being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Wayne and Mr. Lacock; and, on the question being put, the Members voted as follow, to wit:

YEAS.  
Messrs. Blocher,  
Bright,  
Dorsey,  
Doty,  
Hiester,  
Irish,  
Lacock,  
Laird,  
Lattimore,

NAYS.  
Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,

YEAS.  
Messrs. M'Arthur,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 18.

NAYS.  
Messrs. Miller,  
Preston,  
Slaymaker,  
Wayne. 9.

Eighteen Yeas, nine Nays; by which it appeared, that the question was determined in the affirmative; and, that the section was adopted.

Section 3 being under consideration,

A motion was made, by Mr. Lacock and Mr. Roberts,

To fill the blank with the words, "1st September next," the time of the commencement of the present Bill; which was agreed to.

The section, as amended, was adopted.

The title of the Bill was agreed to.

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to incorporate the Female Association of Philadelphia*," was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Hiestler,

To amend the section, by limiting the Charter to 30 years; which was agreed to, and the section, as amended, adopted.

Section 2 being under consideration,

A motion was made, by Mr. Wayne and Mr. Dorsey,

To postpone the further consideration of the section and Bill, for the present; which was agreed to.

The Clerk of the House of Representatives presented, for signature, the Bill, entitled,

"*An Act to incorporate the Philadelphia Society, for promoting Agriculture.*"

And, for concurrence, two Bills, entitled, respectively, as follow, *to wit*:

1. *An Act to change the Name of Lewis Dorleans, to Lewis Emery.*

2. *An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis, to convey a Lot of Ground in the City of Philadelphia.*

Which were read the first time.

The Speaker signed the Bill, presented for signature.

Agreeably to order,

The Bill, entitled, "*An Act to provide for the Education of the Poor, gratis*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit*:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses, in which they originated:

1. *An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School.*
2. *An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased.*
3. *An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned.*
4. *A Resolution, relative to contracting for a certain Number of Copies of the Laws of Pennsylvania, printed by Carey and Bioren.*

SIMON SNYDER.

*Lancaster, Feb. 8, 1809.*

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Rankin in the chair, the further consideration of the Bill, entitled, "*A Supplemement to the Act, entitled, An Act for the Relief of the Poor.*"

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Bill, entitled, "*An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road, from the City of Philadelphia, by Chad's Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

Adjourned, till 10 o'clock tomorrow morning.

Thursday, February 9, 1809.

Mr. Miller, from the Committee appointed for that purpose, on the 7th inst. reported the Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out, and vacating, public and private Roads and Highways;*" which was read the first time.

The Bill, entitled, "*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on the Bradywine, to the Line of the State, in a Direction towards Baltimore;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to provide for the Education of the Poor, gratis,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title of the Bill having been agreed to,

Ordered, That it be prepared for the third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Dorsey in the chair, the consideration of the Bill, entitled, "*An Act concerning Libels.*"

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, respectively, as follow, *to wit*:

1. *A Supplement to an Act, entitled, "An Act to provide a more effectual Method of settling the Public Accounts of the Commissioners, and Treasurers, of the respective Counties."*

2. *An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.*

And he informed, That the House of Representatives adhere to their amendments, not concurred in by Senate, to the Bill, entitled,

*"An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth."*

And also, to the Bill, entitled,

*"An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described."*

The Bills, presented for concurrence, were read the first time.

Agreeably to order,

The Bill, entitled, "*An Act to amend an Act, entitled, "An Act granting an Annuity to Edward Cavenough,"*" was read the second time, considered by section, and agreed to.

The title of the Bill was agreed to.

*Ordered*, That the said Bill be prepared for the third reading.

Mr. Preston asked and obtained leave of absence, for Mr. Wayne, for a few days.

Mr. Bright asked and obtained leave of absence, for Mr. Udree, for a few days.

Adjourned, till 10 o'clock tomorrow morning.

Friday, February 10, 1809.

Mr. Laird presented the propofals, refpe&cting the Seat of Government, of the fubfcribers thereto, inhabitants and principal owners of lots and land, in and near the town of Northumberland; which were twice read, and referred to the Committee of the Whole, when that Committee fhall fit on the fubje&ct of fixing the Seat of Government.

The following is the fubftance of their propofals, *to wit* :

“ Whatever lots fhall be deemed neceffary to the Public Buildings, wherever it fhall be determined to place them, on convenient ground, within the town, they will undertake to procure, for the Public, at the expence of the inhabitants of the town, if that fhould be thought proper; or, at the fair price of fuch lots, to be fixt by Arbitrators named by the Legislature; to be valued, exclufive of any increafe of price dependant on the removal of the Legislature thither.

“ Should the Legislature deem it expedient, further to purchafe any out-lots, or land adjoining the out-lots of the town, any quantity of out-lots, to the amount of 100 acres, may be had at a price, according to fituation, from 20 to 80 dollars an acre, on the river bank of either branch. Tracts of land, in eligible fituations, adjoining the town, to the amount of 2, 3, or 4 hundred acres, may be had at prices, from 10 to 40 dollars an acre.

“ Whatever the Legislature may think fit to purchafe, they will gurantee that the public Arbitrators fhall be at liberty to fix the price; laying out of view entirely, any thing but the average value of the land, before the Legislature had it in contemplation to remove to the town of Northumberland, fhould that be their ultimate determination.”

Mr. Borrows prefented the remonftrance of the fubfcribers thereto, citizens of Mifflin county, ftating that Ezra Doty, the Member representing the counties of Mifflin and Huntingdon, in the Senate of this Commonwealth, holds the office of Treafurer of the Coun-

ty of Mifflin; which they deem to be incompatible with the holding his seat in that body: They therefore pray the attention of the Senate thereto.' And the said memorial was twice read, and referred to Mr. Lacock, Mr. Weaver, Mr. Campbell, Mr. Rankin, and Mr. Laird, to consider and report thereon.

Mr. Weaver, from the Committee to whom was referred, on the 7th of December last, the Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof;*" reported the said Bill, without amendment.

The Bill, entitled, "*An Act to amend an Act, entitled, 'An Act granting an Annuity to Edward Cavenough,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to provide for the Education of the Poor, gratis,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

Agreeably to order,

The Bill, entitled, "*An Act concerning Contempts of Court,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Millgrove Mine Company,*" was read the second time.



Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*“ An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.”*

And, for signature, the Bill, entitled,

*“ An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad’s Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore.”*

He returned the Bill, entitled,

*“ An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.”*

And informed, that the House of Representatives have passed the said Bill, without amendment.

The Bill, presented for concurrence, was read the first time.

The Speaker signed the Bill, presented for signature.

Agreeably to order,

The Bill, entitled, *“ An Act to extend an Act, entitled, “ An Act concerning Strays,”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Whereupon,

The said Bill was referred to Mr. Lacock, Mr. Weaver, Mr. Brady, Mr. Hiestler, and Mr. M’Arthur, to consider and report thereon.

The report of the Committee, on the subject of the Removal of the Seat of Government, read on the 11th of last month, was again read.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Tuesday next, the 14th of this month.

Mr. Gress asked and obtained leave of absence, for Mr. Lattimore, for one week.

Adjourned, till 10 o'clock tomorrow morning.



Saturday, February 11, 1809.

Mr. Lacock, from the Committee of Accounts, made report, in part; which was read as follows, *to wit*:

That they have examined the accounts of George Bryan, Clerk of the Senate, from the time of the last settlement (March 26, 1808) and the vouchers for the disbursement of the monies intrusted to him; and find that he has expended the sum of 164 dollars and 23 cents, more than he has received from the Senate; as will appear by the following abstract:

*Paid for Printing-work, for the Senate, viz.*

	D.	C.
To William Greer, printing Bills,	98	25
Ditto, Appendix to Journal,	52	50
Henry Grimler, Journal (German language)	236	00
Wm. C. Smyth, Journal (English language) including extra allowance for paper,	394	12
Ditto, printing Governor's Address, this Session,	15	00
Expences settling W. C. Smyth's account,	2	1
	<hr/>	
Carried forward,	797	88

	Brought forward,	797	88
	<i>For Contingencies, viz.</i>		
To J. Binns, and others, for new-	D. C.		
papers,	46	35	
W. Dickson, stationary, &c.	92	01	
M. Carey, paper,	19	00	
Bundle and Hantsch, smith-work,	4	15	
J. Getz, stitching Journal of Se-			
nate, binding books, &c.	158	52	
J. Wilson, for a table for the new			
Members, bookcases, taking up			
and putting down carpet, &c.	45	57	
P. Zantzinger, cellar-rent, for			
wood,	30	00	
A. Conrad, and Co.*	301	00	
For wood and sawing,	71	75	
Sundry small accounts,	20	00	
			778 35

*Accounts settled by Committee.*

(See Journal of last Session, page 522)

W. M'Corkle, for newspapers,	16	22
Wm. Hamilton,	6	00
H. Hamilton,	2	08
S. H. Smith,†	16	50
C. M'Dowell,	3	00
J. Robison,	2	33
E. Bronson,	4	63

Carried forward, 50 76 1576 23

* Laws of Kentucky, 2 volumes,	6	00
Laws of Georgia,	10	00
10 Copies of Journals of Congress, 13 vols, each sett a		
26 dolls. per copy,	260	00
4 Packing-boxes,	1	00
1 Map of Europe,	7	00
United States,	7	00
Pennsylvania,	10	00
	285	00
	301	00

† This account, at the time it was settled, was 14 dollars and 50 cents; a further expence, of 2 dollars, was incurred and paid, as per the account now rendered.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit*:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses, in which they originated:

1. *An Act vesting a Title to a small Piece of Land, in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School.*

2. *An Act relating to the Lien of this Commonwealth, on the Estate of William Nichols, deceased.*

3. *An Act authorising George Bryan to sell and convey, a certain Lot of Ground therein mentioned.*

4. *A Resolution, relative to contracting for a certain Number of Copies of the Laws of Pennsylvania, printed by Carey and Bioren.*

SIMON SNYDER.

*Lancaster, Feb. 8, 1809.*

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Rankin in the chair, the further consideration of the Bill, entitled, "*A Supplemement to the Act, entitled, An Act for the Relief of the Poor.*"

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Bill, entitled, "*An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road, from the City of Philadelphia, by Chad's Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

Adjourned, till 10 o'clock tomorrow morning.

Thursday, February 9, 1809.

Mr. Miller, from the Committee appointed for that purpose, on the 7th inst. reported the Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out, and vacating, public and private Roads and Highways;*" which was read the first time.

The Bill, entitled, "*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on the Bradywine, to the Line of the State, in a Direction towards Baltimore;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to provide for the Education of the Poor, gratis,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title of the Bill having been agreed to,

Ordered, That it be prepared for the third reading.

Agreeably to order,

Brought forward,	887 62½
To cutting and folding 300 copies of Journal,	44 00
To additional number of Journal, per Resolution of Senate, 150 copies, 34½ sheets, at 6 dollars,	205 50
To printing Index for Journal, 1½ sheet, 1050 copies, including 300 copies additional (2d composition)	87 50
To printing labels for back of Journal,	10 00
To allowance, per Senate, for extra expence of paper, &c. &c.	120 00

---

1354 62½

From this amount, deduct this sum, being overcharges, as per the award of Messrs. Hamilton and Dickson, Printers,

159 00

---

1195 62½

Paid by Senate, two warrants, 800 00  
Clerk, 394 12

Of allowance for paper, by Senate, this sum was deducted, for want of vouchers,

1 50

---

1195 62½

The Committee therefore offer the following Resolution, *to wit*:

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of George Bryan, Clerk of the Senate, for the said balance of 164 dollars and 23½ cents.

Whereupon,

On motion, and by special order,

The said report was again read, considered, and the Resolution adopted.

Thereupon,

A warrant was drawn accordingly.

Mr. Miller, from the Committee to whom were referred, the Bill, entitled, "*An Act for the Relief of Alexander Russell*;" and the petition of Alexander Russell; reported a Bill, of a similar title; which was read the first time.

Agreeably, to order,

The Bill, entitled, "*An Act to declare and establish the Seal of this Commonwealth,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Wednesday, the 15th of this month.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act concerning Contempts of Court,*" was postponed, for the present.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, respectively, as follow :

1. *An Act authorising the Commissioners of Indiana County, to assess and collect County Rates and Taxes in the County of Jefferson.*

2. *An Act to erect Parts of Luzerne and Lycoming Counties, into separate County-districts.*

And he presented, for signature, the Bill, entitled,

"*An Act to amend an Act, entitled, "An Act granting an Annuity to Edward Cavenough."*

Whereupon,

The Speaker signed the said Bill.

The Bills, presented for concurrence, were severally read the first time.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act to incorporate the Mill-grove Mine Company,*" was postponed, for the present.

The Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof;*" was read the second time, as reported by Special Committee, considered by section, and agreed to.

ty of Mifflin; which they deem to be incompatible with the holding his seat in that body: They therefore pray the attention of the Senate thereto.' And the said memorial was twice read, and referred to Mr. Lacock, Mr. Weaver, Mr. Campbell, Mr. Rankin, and Mr. Laird, to consider and report thereon.

Mr. Weaver, from the Committee to whom was referred, on the 7th of December last, the Bill, entitled, "*An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof;*" reported the said Bill, without amendment.

The Bill, entitled, "*An Act to amend an Act, entitled, 'An Act granting an Annuity to Edward Cavenough,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to provide for the Education of the Poor, gratis,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

Agreeably to order,

The Bill, entitled, "*An Act concerning Contempts of Court,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Millgrove Mine Company,*" was read the second time.



Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*“ An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.”*

And, for signature, the Bill, entitled,

*“ An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad’s Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore.”*

He returned the Bill, entitled,

*“ An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.”*

And informed, that the House of Representatives have passed the said Bill, without amendment.

The Bill, presented for concurrence, was read the first time.

The Speaker signed the Bill, presented for signature.

Agreeably to order,

The Bill, entitled, *“ An Act to extend an Act, entitled, “ An Act concerning Strays,”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Whereupon,

The said Bill was referred to Mr. Lacock, Mr. Weaver, Mr. Brady, Mr. Hiestler, and Mr. M’Arthur, to consider and report thereon.

The report of the Committee, on the subject of the Removal of the Seat of Government, read on the 11th of last month, was again read.

*An Act to incorporate the Philadelphia Society, for promoting Agriculture.*

*An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore.*

*An Act to amend an Act, entitled, "An Act granting an Annuity to Edward Cavenough."*

Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Tuesday, February 14, 1809.

Mr. Bright presented the petition of Lewis Albertus, of the City of Philadelphia, praying for an Act divorcing him from his Wife. And the said petition was read, and

Laid upon the table.

Mr. Dorsey presented the memorial of the Managers and Physicians of the Pennsylvania Hospital, stating that a part of the estate of the said institution, contrary to the usage and practice of more than 50 years since its foundation, has lately been assessed for the payment of taxes; to the injury of the sick Poor of the State, and contrary to the nature of the establishment: They therefore pray, that the said institution may be exempted from taxation. And the said memorial was read, and

Laid on the table.

Mr. Dorsey presented two petitions, of similar purport, from the subscribers thereto, inhabitants of the counties of Washington, Greene, and Fayette, praying that the Legislature will allow, by Law, the Philadelphia Bank to establish a Branch-bank at the town of Brownsville, in the county of Fayette. And the said petitions were severally read, and

Laid upon the table.

Mr. Doty presented the petition of the subscribers thereto, inhabitants of Milford township, Mifflin county, praying that the said township may be erected into

a separate election-district; and that the house now occupied by Nicholas O. Okeson may be fixed on, as the place of holding elections. And the said petition was read, and

Laid on the table.

Mr. Sommer presented the petition of the subscribers thereto, inhabitants of the city of Philadelphia, the district of Southwark and vicinity, stating that, in their opinion, there is a necessity for the establishment of an Auctionstore for the said district, &c. They therefore pray for an Act, authorising the Governor to appoint an Auctioneer for the same. And the said petition was twice read, and referred to the Committee of the Whole, when the Bill, on that subject, shall be under the consideration of that Committee.

Mr. Dorsey presented a copy of the accounts of the Managers of the Philadelphia Hospital, for the year ending 4th April, 1808; which was

Laid upon the table.

The Bill entitled, "*An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis, to convey a Lot of Ground, situate in the City of Philadelphia,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

On leave now given, Mr. Lacock read a Bill in his place, and, by permission, presented the same to the Chair, entitled, "*An Act concerning Sentences of foreign Prize-courts;*" which was read the first time.

Agreeably to order,

The Bill, entitled, "*A Supplement to an Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

On motion of Mr. Erwin and Mr. Roberts,  
The said Bill was considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

On motion,  
The further consideration, in Committee of the Whole, of the report of a Committee, on the subject of fixing the Seat of Government, was postponed, for the present.

On motion of Mr. Sommer and Mr. Preston,  
The Senate resumed, in Committee of the Whole, Mr. Preston in the chair, the consideration of the Bill, entitled, "*An Act authorising the Governor to appoint an Auctioneer for the District of Southwark, and the Townships of Moyamensing and Passyunk.*"

And, after some time,  
The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Whereupon,  
The said Bill was referred to Mr. Sommer, Mr. Heston, and Mr. Dorsey, to consider and report thereon.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit*:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return the same to the respective Houses, in which they originated, *viz.*

1. *An Act supplementary to an Act to enable the Governor to incorporate a Company, for making an Artificial Road from the City of Philadelphia, by Chad's Ford, on Brandywine, to the Line of the State, in a Direction towards Baltimore.*

2. *An Act to incorporate the Philadelphia Society, for promoting Agriculture.*

3. *An Act to amend an Act, entitled, "An Act granting an Annuity to Edward Cavenough."*

SIMON SNYDER.

*Lancaster, Feb. 14, 1809.*

The Bill, entitled, "*An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes,*" was read the second time, as reported by Committee of the Whole, on the 4th of this month, considered by section, and agreed to.

The title of the Bill having been agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of the Heirs of Frederick Vernon, deceased,*" was read the second time, as reported by Committee of the Whole, on the 30th of last month, considered by section, and agreed to.

The preamble and title were severally adopted.

*Ordered,* That the said Bill be prepared for the third reading.

The Resolution, relative to purchasing a certain Number of copies of the Minutes of Convention, was read the second time, as reported by Select Committee, on the 3d of this month.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the same, with amendments; which were read as reported.

On motion of Mr. Lacock and Mr. Sommer, and by special order,

The said Resolution was further considered, as reported by Committee of the Whole, and adopted.

*Ordered,* That it be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested.

These amendments are :

1. The Secretary of the Commonwealth, instead of the Clerks of the two Houses, shall purchase the books, at a price not exceeding 3 dollars per copy, have them bound, lettered, &c.

2. The books shall be deposited in the Commissioners' office, and not in the office of the Prothonotary.

3. The expence shall be paid out of the State Treasury.

The remaining amendments are merely verbal.

On motion of Mr. Dorsey and Mr. Mitchell,

The Senate resumed the consideration of the Bill, entitled, "*An Act to incorporate the Female Association of Philadelphia;*" postponed, for the present, on the 8th of this month.

The consideration of section 2 recurring,

A motion was made, by Mr. Heston and Mr. Dorsey,

To postpone the further consideration of the section, for the present; which was agreed to.

Whereupon,

On motion of Mr. Heston and Mr. Dorsey,

*Agreed*, That Senate reconsider the question, on agreeing to the first section of the Bill.

And thereupon,

The first section of the Bill being again under consideration,

A motion was made, by Mr. Dorsey and Mr. Lacock,

To strike out the provision which limits the charter to 30 years; which was agreed to, and the section, as amended, adopted.

The consideration of section 2 recurring,

After debate,

The question, on adopting the same, being put, was determined in the negative.

A motion was then made, by Mr. Roberts and Mr. Laird,

To postpone the consideration of the Bill, generally.

On which motion, Mr. Mitchell and Mr. Dorsey required the Yeas and Nays; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Bright,  
Doty,  
Laird,  
M'Arthur,  
Preston,

NAYS.  
Messrs. Borrows,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Irish,

YEAS.  
Messrs. Rankin,  
Roberts,  
Stevenson,  
Weaver,  
Lane (*Speaker*). 10.

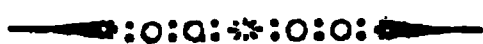
NAYS.  
Messrs. Lacock,  
Mayer,  
Miller,  
Mitchell,  
Rahm,  
Slaymaker,  
Sommer. 14.

Ten Yeas, fourteen Nays; by which it appeared,  
that the question was determined in the negative.

Whereupon,

On motion of Mr. Lacock and Mr. Mitchell,  
The further consideration of the said Bill was post-  
poned, for the present.

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, February 15, 1809.

The Speaker laid before the Senate the report of the  
accounts of the Germantown and Perkiomen Turnpike  
Road Company, communicated by the President of  
that company, in pursuance of the Act of incorpora-  
tion; by which it appears, that

The capital stock, divided into shares of	
100 dols. each, is	285,000 00
The revenue of tolls for one year, ending	
the 7th Nov. 1808,	25,694 40

Of which paid,

For repairs, salaries to Gatekeep- ers, printing, stationary, &c.	11,057 34
Dividends, in May, 1808, at	
dols. 2 50, per share,	7125 00
Ditto, in November, 1808,	7125 00
	<u>25,307 34</u>
Leaving a balance, from reve- nue of tolls, of	387 06

Ordered to lie upon the table.

Mr. Laird presented the petition of the subscribers thereto, Commissioners (named in the Act authorizing the Governor to incorporate a Company for erecting a Bridge over the River Susquehanna, at the Falls of Nescopeck, in the county of Luzerne, passed 9th April, 1807) for the purpose of obtaining subscriptions to the stock, to be raised for the building of said Bridge; stating that, by an estimate made, by one of the Agents employed in building the Schuylkill Permanent Bridge; it appears that 80,000 dollars will be necessary: And as the Commissioners conceive, that not more than half that sum can be raised, by private subscription, they pray that the State will subscribe for the other half. And the said petition was twice read, and referred to Mr. Laird, Mr. Heston, and Mr. Rankin, to consider and report thereon.

Mr. Dorsey presented the petition of the subscribers thereto, inhabitants of Penn township, in the county of Philadelphia, stating that the township of the Northern Liberties, of the county of Philadelphia, has been recently divided by the Court of Quarter Sessions of the said county; and that part which lies westward of Sixthstreet continued and Germantown road has been erected into a new township, by the name of Penn township. The petitioners therefore pray that the house now occupied by Jacob Mower, may be established for the purpose of holding the elections. And the said petition was read, and

Laid upon the table.

Mr. Dorsey presented the representation and petition of the subscribers thereto, Manufacturers and friends of manufactures, stating that great advantages will arise to the manufacturing interest of this State, by the establishment of a "Factoryhall," or "Manufacturer's and Artizan's Exchange," for the purpose of exhibiting specimens of their work, and of meeting and consulting upon the improvement and extension of the manufactures of the Commonwealth: They therefore pray the Legislature to grant them the use (during pleasure) of a part of the Statehouse, in



the city of Philadelphia. And the said petition was read, and

Laid upon the table.

Mr. Dorsey presented the memorial of the subscribers thereto, inhabitants of the city and county of Philadelphia, stating that a Bill is now before the Legislature, to incorporate a Company for the purpose of making a Turnpike road from the Conewago Falls, on the river Susquehanna, to the borough of York; from which an artificial road, towards Baltimore, is in a state of considerable forwardness. That, should this Bill pass, and the road be made, agreeably thereto, a large quantity of produce, which is now conveyed to the city of Philadelphia, will be transported to Baltimore, to the injury of Philadelphia, and the State at large. They therefore pray, that the said Bill may not be passed into a Law. And the said petition was twice read, and referred to the Committee of the Whole, when the said Bill shall be under consideration by that Committee.

The petition of Lewis Albertus, read yesterday, was again read, and referred to Mr. Bright, Mr. Stevenson, and Mr. Preston, to consider and report thereon.

The Bill, entitled, "*A Supplement to an Act, entitled, An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act for the Relief of the Heirs of Frederick Vernon, deceased,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison of Philadelphia, and for other Purposes,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, with amendments; in which the concurrence of that House is requested.

Which amendments are:

1. The Auditors to be appointed, agreeably to the 2d section, are to settle the accounts, *under oath or affirmation*.

2. The Treasurer shall give bond to the Board of Inspectors; to be sued for in their Name; and not to the County Commissioners.

3. The Board of Inspectors are annually to appoint 3 of their own body, to settle the accounts of the Institution; who shall furnish, under oath or affirmation, the Commissioners of counties indebted to them, a correct account, and that, in their opinion, the charges therein contained are just and equitable.

The other amendments are merely verbal.

Agreeably to order,

The Bill, entitled, "*An Act to change the Name of Lewis Dorleans, to Lewis Emery,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Doty in the chair, the consideration of the Bill, entitled, "*An Act to declare and establish the Seals of this Commonwealth.*"

And, after some time,

The Committee rose, and the Chairman reported the Bill, with an amendment; which was read as reported.

Agreeably to order,

The Bill, entitled, "*An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

Agreeably to order,

The Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out and vacating public and private Roads, and Highways,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Bright in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on the 22d. of this month.

Agreeably to order,

The Bill, entitled, "*An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Clerk of the House of Representatives informed the Senate, That the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

"*An Act authorising Jacob Kimmel and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands, therein mentioned.*"

And also, to the Resolution,

*“Relative to the Purchase of a Number of Copies of the Minutes of the Convention.”*

And he presented, for signature, the Bills, entitled, respectively, as follow :

1. *An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof.*

2. *An Act authorising Jacob Kimmel and Abraham Konigsmacher, of Lancaster County, to sell and convey certain Lands, therein mentioned.*

3. *An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.*

Whereupon,

The Speaker signed the said Bills.

On motion of Mr. Dorsey and Mr. Mitchell,

The following Resolution was twice read, considered, and adopted, *to wit* :

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of George Bryan, Clerk of the Senate, for 400 dollars, to enable him to pay the contingent expences thereof; he to be accountable for the same.

Whereupon,

A warrant was accordingly so drawn.

Mr. Erwin, from the Committee appointed for that purpose, made report;

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills, entitled, respectively, as follow, *to wit* :

1. *An Act authorising the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, therein mentioned, to the Purchasers thereof.*

2. *An Act authorising Jacob Kimmel and Abraham Konigsmacher, of Lancaster County, to sell and convey certain Lands, therein mentioned.*

3. *An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.”*

Adjourned, till 10 o'clock tomorrow morning.

Thursday, February 16, 1899.

The Speaker laid before the Senate, the following report of the Surveyor-general, *to wit*:

*To the honorable the Speaker of the Senate, of the Commonwealth of Pennsylvania.*

SIR,

A Resolution of the honorable the Senate, of the 26th ult. has been presented to me. I regret that it is not in my power to comply with the wishes of the Senate, as expressed in that Resolution.

Amongst the papers deposited in my office, by the direction of the Luzerne Commissioners, no list or document can be found, which will show in what cases certificates were issued to the Connecticut Settlers.

It is, however, probable, that certificates were generally issued to the Connecticut Claimants, whose names are found endorsed on the returns of survey, filed in the office; and that, where no names are endorsed, no certificates have been issued. I therefore adopted that principle, in making the following statement; which I have collected from the separate returns of survey, compared with the connected draughts, of the respective townships; and which I have now the honor of submitting to the Senate.

Names of the Townships.	Quantity in each Township.		Supposed to be certificated.		Supposed to be unclaimed.	
Wilkesbarre,	14287	67	14141	149	145	78
Plymouth,	15113	101	14029	33	1084	68
Kingston,	17942	110	17682	106	260	4
Newport,	16106	133	13315	123	2791	10
Salem,	14219	134	11749	119	2470	15
Huntingdon,	17312	104	12644	134	4667	130
Hanover,	17596	73	15945	71	1651	2
Exeter,	24114	92	14147	31	9967	61
Pittstown,	15548	22	14797	21	751	1
Claverack,	17713	95	17445	5	268	90
Springfield,	16506	154	15427	44	1079	110
Northmoreland,	16381	84	13263	67	3118	17
Carried,	202844	49	174589	103	28254	106

Brought over,	202844	49	174589	103	28254	106
Braintrim,	13744	100	12603	72	1141	28
Providence,	15847	65	14307	138	1539	87
Putnam,	19159	89	14733	27	4426	62

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Total, 251595 143 216234 20 35361 123

Accept, fir, for yourself,

And the honorable the Senate,

Affurances of my highest respect.

SAMUEL COCHRAN.

*Surveyor-general's Office, Feb. 15, 1809.*

Ordered to lie upon the table.

Mr. Laird presented the petition of the subscribers thereto, inhabitants of the townships of Greenwood and Fishingcreek, in the county of Northumberland, praying that they may be authoris'd, by Law, to clear the channel of Greencreek, in the said county; so that boats, rafts, &c. may pass down the same, into the North-east Branch of the Susquehanna; which will very much accelerate the carriage of the produce of that part of the country to market. And the said petition was twice read, and referred to Mr. Laird, Mr. Grefs, and Mr. Blocher, to consider and report thereon.

Mr. Borrows presented the petition of the subscribers thereto, settlers in the township of Bedford, in the county of Luzerne; and of Ulster and Athens (late-ly in Luzerne county) of the county of Lycoming; praying that the said townships may be permitted to enjoy the advantages, of what is called the Compromis-ing Law, of 4th April, 1799, and its Supplements. And the said petition was twice read, and referred to the Committee to whom was referred, on the 17th December last, the 8th Item of the report on un-finished business, relating to the Luzerne Contro-versy.

Mr. Borrows presented three petitions, of similar purport, of the subscribers thereto, inhabitants of the county of Luzerne, and part of the county of Lycom-ing, in support of, and recommending the object of, the foregoing petition; which were twice read, and re-ferred to the same Committee.

Mr. Borrows presented three petitions, of similar purport, from the subscribers thereto, enrolled Militia of one of the battalions composing the 4th regiment of the Pennsylvania Militia, stating that they labor under great inconveniences, owing to the distance from Williamsport, the place where their regiment musters; that many of the petitioners reside more than twenty miles from that place: They therefore pray, that they may be permitted to muster in battalion. And the said petitions were twice read, and referred to the Committee appointed on the Militia System.

Mr. Rahm presented further proposals, of William Maclay, on the subject of the Permanent Seat of Government; which were read as follow, *to wit*:

“In case the Legislature of Pennsylvania should think proper to pass a Law, for establishing the Permanent Seat of the State Government at Harrisburg, in the county of Dauphin, William Maclay agrees to make a deed, in fee simple, clear of all incumbrances, to the Commonwealth, for public use, for five acres of land, contiguous to and adjoining what is called the public ground, in Harrisburg aforesaid, at 100 dollars per acre: Or, otherwise, to make a similar deed to the Commonwealth, for the like purpose, for any quantity of land, from 5 to 10 acres; situate as aforesaid; at such price per acre as the Legislature may think proper.

“Witness his hand, February, Anno Domini, 1809.  
WILLIAM MACLAY.

“Attest.

JOHN DOWNEY,  
CHRISTIAN KUNCKLE,  
OBED FAHNESTOCK.”

Whereupon,

On motion of Mr. Weaver and Mr. Rahm,

The said proposals were again read, and referred to the Committee of the Whole, on the subject of the Seat of Government.

Mr. Lacock, from the Committee to whom was referred, on the 10th of December, the 4th Item of the report on the Governor's Address, *viz.* the Judiciary System; on leave now given, reported, in part, two Bills, entitled, as follow, *to wit*:

1. *An Act supplementary to an Act, entitled, "An Act to regulate Arbitrations, and Proceedings in Courts of Justice."*

2. *An Act for the more effectual Organization of the Courts of Common Pleas.*

Which were severally read the first time.

Mr. Bright, from the Committee to whom was referred, on the 15th of this month, the petition of Lewis Albertus, made report; which was read as follows, *viz.*

That they have attentively considered the prayer of the petitioner, and the documents accompanying the same, and are of opinion, that the facts therein stated are neither of such a nature, nor sufficiently authenticated, as to warrant the interference of the Legislature. The Committee therefore submit the following Resolution:

*Resolved*, That the petitioner have leave to withdraw his petition.

Whereupon,

On motion of Mr. Lacock and Mr. Mitchell,

The said report was again read; and the Resolution attached thereto being under consideration,

A motion was made, by Mr. Borrows and Mr. Sommer,

To postpone the further consideration thereof, for the present; which was not agreed to.

Thereupon,

The question, will Senate adopt the Resolution? being put, was determined in the affirmative.

Mr. Dorsey, from the Committee of Accounts, to whom was referred, on the 2d of this month, the petition of William C. Smyth, praying for further allowance, for printing the Journal of the Senate, &c. of last Session, made report; which was read as follows, *to wit*:

"The Committee report in favor of the petitioner."

Ordered to lie upon the table.

The Bill, entitled, "*An Act to change the Name of Lewis Dorleans, to Lewis Emery,*" was read the third time.



Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to declare and establish the Seals of this Commonwealth,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

The question, on agreeing thereto, being put, was determined in the negative; and so the Bill was lost.

On leave given, Mr. Sommer read a Bill, in his place, and by permission presented the same to the Chair, entitled, "*An Act to perpetuate the Great Seal of this Commonwealth;*" which was read the first time.

On motion, and by special order,

The said Bill was read the second time, considered by section, and agreed to.

The preamble and title were severally adopted.

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin,*" was read the second time, as reported by Committee of the Whole, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Doty and Mr. Weaver,

To amend the section by adding, to the end thereof, the following:

*Provided, This Act shall not continue in force, from and after a company shall be incorporated, and the work commenced, in Mifflin county, for making an artificial road, from Harrisburg, through Lewistown, to Pittsburg.*

Whereupon,

On motion of Mr. Sommer and Mr. Doty,

The further consideration of the motion to amend, and the Bill, were postponed, for the present.

The Bill, entitled, "*An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title were severally adopted.

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance for a Quarter Lot of Ground, in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Agreeably to order,

The Bill, entitled, "*An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Brady in the chair, for the further consideration thereof.

And, after some time.

The Committee rose, and reported the Bill, without amendment.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

"*A further Supplement to an Act, entitled, "An Act to alter the Judiciary System of this Commonwealth."*

And he presented, for signature, three Bills and a Resolution, entitled, respectively, as follow, *to wit*:

1. *An Act for the Relief of the Heirs of Frederick Vernon, deceased.*

2. *An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis, to convey a Lot of Ground, situate in the City of Philadelphia.*

3. *A Supplement to an Act, entitled, "An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes."*

4. *A Resolution, relative to procuring and distributing the Minutes of the Convention, that framed the present Constitution.*

Whereupon,

The Speaker signed the said Bills and Resolution.

The Bill, presented for concurrence, was read the first time.

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for laying out a State Road, from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

On leave given, Mr. Erwin read a Bill in his place, and, by permission, presented the same to the Chair, entitled, "*A further Supplement to an Act, entitled, "An Act to regulate the Fisheries in the River Delaware, and for other Purposes;"*" which was read the first time.

Adjourned, till 10 o'clock tomorrow morning.

Friday, February 17; 1809.

Mr. Roberts presented the petition of David Moore, acting Administrator of James Moore, of Chester county, deceased, stating that the said James Moore, in 1773, paid into the office of the Receiver-general the full purchase-money for sixteen tracts of land, obtained warrants, and fifteen of them were executed, surveyed, and regularly returned to the Surveyor-generals office. The other warrant remains unexecuted. That he released the whole of these lands, under the Act of the 4th April, 1799, usually called the Compromising Act. Since which, the said James Moore died intestate. That the petitioner has experienced difficulties and objections, in deriving the advantages of the Compromising Law, which neither the Board of Property, nor the Courts, have removed. He therefore prays relief. And the said petition was twice read, and referred to Mr. Roberts, Mr. Sommer, and Mr. Weaver, to consider and report thereon.

Mr. Sommer, from the Committee to whom was referred, on the 14th of this month, the Bill, entitled, "*An Act authorising the Governor to appoint an Auctioneer for the District of Southwark, and the Townships of Moyamensing and Passyunk;*" reported the said Bill, without amendment.

The Bill, entitled, "*An Act to perpetuate the Great Seal of the Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That the said Bill be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter Lot of Ground, in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road, from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry, aforesaid;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Preston,

To amend the section, by striking out the word "*State*" where it occurs in the section; so that the road to be laid out may not be considered a State Road; which was agreed to.

On motion of Mr. Roberts and Mr. Preston,

The section was further amended, by striking out the provision for depositing a draught of the said road in the office of the Secretary of the Commonwealth.

A motion was then made, by Mr. Lacock, and Mr. Roberts,

Further to amend the section, by inserting a provision, that the three Commissioners may be selected, one from each of the counties through which the road passes; which was not agreed to.

The section, as amended, was adopted.

Section 2 being under consideration,

A motion was made, by Mr. Roberts and Mr. Preston,

To amend the section, by inserting a provision, that the expences in viewing, surveying, and marking said roads shall be payable out of the Treasuries of the counties through which the roads pass, instead of out of the State Treasury; which was agreed to, and the section, as amended, was adopted.

The title of the Bill having been amended, by striking therefrom the word "State," and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on the 25th of this month.

Agreeably to order,

The Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Tuesday, the 21st of this month.

On motion of Mr. Roberts and Mr. Lacock,

The Senate resumed, in Committee of the Whole, Mr. Preston in the chair, the further consideration of the report, relative to the Seat of Government.

And, after some time,

The Committee rose, and reported the Resolution attached to the report, amended, so as to read as follows, to wit:

*“Resolved, That a Committee be appointed to bring in a Bill, to fix the Permanent Seat of Government at or near the borough of Harrisburg, in the county of Dauphin, and make the necessary appropriation for erecting the Public Buildings for the accommodation of the Legislature, and for the safe-keeping of the public records and papers of the Commonwealth.”*

Whereupon,

On motion of Mr. Lacock and Mr. Dorsey,

The said Resolution was read the second time, as reported by Committee of the Whole; and, being under consideration,

A motion was made, by Mr. Weaver and Mr. Irish,

To postpone the further consideration of the same, in order to introduce the following, as a substitute, to wit:

*“Resolved, That a Committee be appointed to bring in a Bill, empowering and directing the Governor to purchase 150 acres of Land, near or adjoining the town of Harrisburg, in the county of Dauphin, offered for sale to the State by Abraham Huey, at 100 dollars per acre; together with 10 acres, offered by William Maclay (on condition that the Legislature pass a Law establishing the Permanent Seat of Government at Harrisburg, aforesaid) at the rate of 100 dollars per acre; and to provide for the Removal of the Seat of Government, and the offices thereto attached, to the said town of Harrisburg, on or before the first day of November, in the year .”*

Which was agreed to.

Thereupon,

The substitute being under consideration,

A motion was made, by Mr. Sommer and Mr. Dorsey,

To amend the substitute, by striking out the provision, respecting the purchase of the land of Abraham Huey; which was agreed to.

A motion was then made, by Mr. Roberts and Mr. Preston,

To fill the blank with "1809."

Mr. Laird and Mr. Heston mentioned "1815."

Mr. Lacock and Mr. Udree mentioned "1812."

Agreeably to the 18th rule of Senate, the question, on filling the blank with 1815, being put, was determined in the negative.

A question was then taken on 1812; which was also disagreed to.

Mr. Lacock and Mr. Heston then moved 1811; which was also negatived.

Whereupon,

The question, on the motion to fill the blank with 1809, being put, was determined in the affirmative.

And thereupon,

The Yeas and Nays, on adopting the Resolution, as amended, were required by Mr. Preston and Mr. Heston; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Dorsey,  
Doty,  
Erwin,  
Lacock,  
M'Arthur,

NAYS.

Messrs. Bright,  
Heston,  
Irish,  
Laird,

YEAS.

Messrs. Miller,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 17.

NAYS.

Messrs. Mayer,  
Preston,  
Slaymaker,  
Sommer. 8.



Seventeen Yeas, eight Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That Mr. Weaver, Mr. Lacock, and Mr. Rahm be the Committee, for the purpose expressed in the Resolution.

Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Saturday, February 18, 1809.

Mr. Lacock presented the petition of John M'Gowen, stating that he was actively engaged in the service of the revolutionary struggle for Independence. That he lost his health and property, in consequence of the part he took in the cause of freedom: The first, by excessive fatigue and hardships; and the latter, by the depreciation of paper money. That he removed to the Western Country, and settled on one of the undrawn tracts of Donation-land. He therefore prays the Legislature to grant him the preemption-right to the said land, at a reasonable rate. And the said petition was twice read, and referred to Mr. Lacock, Mr. Slaymaker, and Mr. Mayer, to consider and report thereon.

Mr. M'Arthur presented the memorial of the subscribers thereto, praying "That the Judiciary System may be so amended and simplified, that men of common capacity may be enabled to do their own business." And the said petition was twice read, and referred to the Committee, on the Judiciary System.

Mr. Weaver, from the Committee appointed for that purpose, yesterday, reported the Bill, entitled, "*An Act establishing the Seat of Government, of the Commonwealth of Pennsylvania, at Harrisburg, in the County of Dauphin;*" which was read the first time.

The Bill, entitled, "*An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance for a Quarter Lot of Ground, in the Borough of Pittsburg,*

*to George Wallace, and for other Purposes therein mentioned;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment,

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Strasburgh Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road, from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry, aforesaid;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, with amendments; in which the concurrence of that House is requested.

(For the amendments, see Journal of yesterday.)

Agreeably to order,

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Clerk of the House of Representatives returned the Bill, entitled,

*“An Act to perpetuate the Great Seal of this Commonwealth.”*

And informed, that the House of Representatives have passed the said Bill, without amendment.

He presented, for signature, two Bills, entitled, respectively, as follow, to wit:

1. *An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson.*

2. *An Act to change the Name of Lewis Dorleans, to Lewis Emery.*

Whereupon,

The Speaker signed the said Bills.

The Bill, entitled, *“An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes,”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

Adjourned, till 10 o'clock Monday morning.



Monday, February 20, 1809.

Mr. Borrows presented the petition of the subscribers thereto, inhabitants of Baldeagle township, in the county of Centre, praying for an inquiry into the situation of the Susquehanna Lottery. And the said petition was twice read, and referred to the Committee appointed, on the 10th of December last, *“to inquire into the actual state of that Lottery.”*

Mr. Rahm, from the Committee to whom was referred, on the 1st of this month, the petition of the subscribers thereto, inhabitants of Dauphin and Adams counties, made report; which was read as follows, *to wit*:

“That, after a careful examination of the subject committed to them, they are of opinion a road, in the ~~direction~~ contemplated by the petitioners, would be of public utility; as no direct communication exists, between Harrisburg and the Seat of the General Government; and as the former place is the point where a great number of leading roads, embracing a large extent of country, to the North and East centre.

“A road thus opened would afford facility to emigration, from Maryland and Virginia, to the northern lands of this Commonwealth, which has already been considerable, and which will probably continue. It would also be of the utmost consequence to the inhabitants of Adams county, and part of Cumberland county, in the transportation of lumber, which they obtain now only by a circuitous route, and which their situation necessarily confines them to obtain from the river Susquehanna, in the vicinity of Harrisburg.

“The Committee are of opinion, that the prayer of the petitioners ought to be granted; and therefore offer the following Resolution, *to wit*:

“*Resolved*, That a Committee be appointed to bring in a Bill, authorising the Governor to appoint Commissioners to lay out a State Road, beginning at the State Road, leading from Harrisburgh to Carlisle, at or near Kelso's ferry, in Cumberland county, the nearest and best route, to or near Dill's tavern, in York county, through Gettysburg, in Adams county, to the Maryland line, in a direction to the City of Washington.”

“Ordered to lie upon the table.

Mr. M<sup>r</sup> Arthur, from the Committee to whom were referred, on the 18th of December last, the 6th Item of the report of unfinished business, *to wit*: “Relating to Actual Settlers, and Warrantees,” and the several petitions on the same subject; on leave now given,

reported the Bill, entitled, "*An Act for ascertaining, whether the several original Warrants, and those who derive their Titles therefrom, have performed the Conditions of Settlement, Improvement, and Residence, or those Requisitions which shall be admitted equivalent thereto, agreeably to the Provisions of the Act of the General Assembly of Pennsylvania, entitled, 'An Act for the Sale of the vacant Lands within this Commonwealth,' passed the 3d day of April, 1792;*" which was read the first time.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties,'*" was read the second time, as reported by Committee of the Whole, on the 18th of this month, and considered by section.

Sections 1, 2, 3 were severally adopted.

Section 4 being under consideration,

A motion was made, by Mr. Roberts and Mr. Sommer,

To postpone the further consideration of the section and Bill, for the present; which was agreed to.

Agreeably to order,

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Northern Bank of Codorus Creek, opposite the North End of Georgetstreet, in the Borough of York, to the Canal Ferry, on the River Susquebanna, and from thence up the said River, to the Head of the Conewago Falls;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with one amendment; which was read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

"*An Act to incorporate the Farmers and Mechanics Bank.*"

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

*“An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.”*

The Bill, presented for concurrence, was read the first time.

Moved by Mr. Lacock and Mr. Doty,

Whereas the Legislature of Pennsylvania have, by Resolutions adopted since the commencement of the present Session, expressed their confidence in the wisdom and patriotism of the General Government; and their determination to support the same, with the resources and energies of the State, in all constitutional means to defend our national Independence, against any foreign power.

These Resolutions, adopted after mature reflection, announced the firm determination of the Representatives of the People; and, from the evidence of the public opinion, expressed at our late Election, beyond doubt, the determination of a vast majority of the Citizens of this State. And they had hopes that the Resolutions, thus adopted, would have been a sufficient declaration of the public will of this Commonwealth, until a new Election had authorised other Agents to proclaim the sentiments of their constituents.

But the movements of certain public men and public meetings, in the State of Massachusetts, and the countenance given to those movements, by some of the constituted authorities of that State, too evidently and too fatally announce, that our Union, our Government, and the principles of Independence on which it is established, have other enemies (though small in number, we fondly hope) than those resident abroad. Which considerations impose on the Legislature of Pennsylvania, once more, the sacred duty of declaring their opinions and determinations, on this important subject. Therefore,

*Be it resolved, by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, That we*

hold sacred the Union of the States; that we regard it as the palladium of our Independence, the solemn pledge of national peace, honor, prosperity, and freedom; the world's best and only hope, for the preservation of a Government founded on the eternal principles of Justice, and the rights of Man. And for these, and many other reasons, we will adhere and cling to it, in prosperity and adversity; and hold in detestation and abhorrence, as enemies and traitors, any man or set of men, or the constituted authorities of any State, who may secretly or openly, by fraud or force, attempt a dissolution of the Union: And therefore pledge ourselves to each other, to our common Country, and to our God, that we will, as Citizens, and as Legislators, exert every energy of body and soul, to preserve and transmit to posterity, unimpaired, the present happy Union of the States.

Ordered to lie upon the table.

The report of the Surveyor-general, on the subject of the Luzerne Controversy, read on the 16th of this month, was again read, and referred to the Committee, to whom was referred that part of the report of unfinished business, relative to the Luzerne Controversy.

Adjourned, till 10 o'clock tomorrow morning.

—:o:o:~:o:c:—

Tuesday, February 21, 1809.

Mr. Lacock presented the petition of the subscribers thereto, owners of inlots in the town of Beaver, in the county of Beaver, adjoining the diamond or public square of said town, stating that the said square consists of four separate lots or squares, each containing three acres; which, with Market and Thirdstreets, running at right angles, and a 25 feet alley, bounding the said square, render the same too large and inconvenient: The petitioners therefore pray, that a Law may be passed to lay off the said diamond, agreeably to a plan accompanying the petition. And the said petition was twice read, and referred to Mr. Lacock, Mr. Heston, and Mr. Udree, to consider and report thereon.

Mr. Campbell presented the petition of Joseph Ram, of the borough and county of York, stating that he was early engaged in the service of his Country, during her struggle for Independence. That he was wounded at the battle of the Paoli. From the effects of which, and his advanced age, he is unable to support himself. He therefore prays relief. And the said petition was twice read, and referred to Mr. Campbell, Mr. Lattimore, and Mr. Rankin, to consider and report thereon.

Mr. Laird, from the Committee to whom was referred, on the 16th instant, the petition of the subscribers thereto, inhabitants of the townships of Greenwood and Fishingcreek, in the county of Northumberland, on leave now given, reported the Bill, entitled, "*An Act to declare Greencreek and its Branches, in the County of Northumberland, Public Highways;*" which was read the first time.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Northern Bank of Codorus Creek, opposite the North End of George-street, in the Borough of York, to the Canal Ferry, on the River Susquehanna, and from thence up the said River to the Head of the Conewago Falls;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by striking from line 21, the following :

"Northern bank of Codorus creek, opposite the."

So that the turnpike may commence at the north end of Georgestreet, in the borough of York. And required the Yeas and Nays on the motion.

Whereupon,

On the question being put, the Members voted as follow, *to wit* :

YEAS.  
Messrs. Bright,  
Dorsey,

YEAS.  
Messrs. Doty,  
Heston,



YEAS.

Messrs. Hiester,  
Irish,  
Mayer,  
M'Arthur,  
Preston,  
Rahm,

NAYS.

Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Erwin,  
Gres,  
Lacock,

YEAS.

Messrs. Roberts,  
Slaymaker,  
Sommer,  
Udree,  
Lane (*Speaker*). 15.

NAYS.

Messrs. Laird,  
Lattimore,  
Miller,  
Mitchell,  
Rankin,  
Stevenson,  
Weaver. 14.

Fifteen Yeas, fourteen Nays; by which it appeared, that the question was determined in the affirmative.

Thereupon,

The Yeas and Nays, on adopting the section, as amended, were required by Mr. Lacock and Mr. Laird; and, on the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Erwin,  
Gres,  
Irish,  
Lacock,  
Laird,

NAYS.

Messrs. Bright,  
Dorsey,  
Doty,  
Heston,  
Hiester,  
Mayer,

YEAS.

Messrs. Lattimore,  
M'Arthur,  
Miller,  
Mitchell,  
Rahm,  
Rankin,  
Stevenson,  
Weaver,  
Lane (*Speaker*). 18.

NAYS.

Messrs. Preston,  
Roberts,  
Slaymaker,  
Sommer,  
Udree. 11.

Eighteen Yeas, eleven Nays; by which it appeared, that the question was determined in the affirmative.

Section 2 was adopted.

Section 3 being under consideration,

A motion was made, by Mr. Weaver and Mr. Rahm,

To amend the section, by striking out the provision, inserted in Committee of the Whole; which was agreed to, and the section, as amended, adopted.

The title of the Bill having been amended, so as to correspond with the amendment in section 1, and agreed to,

*Ordered*, That it be prepared for the third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. M'Arthur in the chair, the consideration of the Bill, entitled, "*An Act for the Relief of Alexander Russell.*"

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

Whereupon,

On motion of Mr. Miller and Mr. Brady,

The said Bill was recommitted, to the Select Committee who reported it.

The Bill, entitled, "*A further Supplement to the Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth,'*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

"*An Act for Marking and Bounding of Lands.*"

And, for signature, the Bills, entitled, respectively, as follow, to wit:

1. *An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.*

2. *An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.*

Whereupon,

The Speaker signed the said Bills.

The Bill, presented for concurrence, was read the first time.

On motion, of Mr. Lacock and Mr. Mitchell,

The Senate resumed, in Committee of the Whole, Mr. Borrows in the chair, the consideration of the Bill, entitled, "*An Act concerning Contempts of Courts;*" postponed, for the present, on the 11th of this month.

And, after some time,

The Committee rose, and reported the Bill, with one amendment; which was read as reported.

Mr. Laird, from the Committee appointed for the purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills and Resolution, entitled, respectively, as follow, *to wit*:

1. *An Act for the Relief of the Heirs of Frederick Vernon, deceased.*

2. *An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis, to convey a Lot of Ground, situate in the City of Philadelphia.*

3. *A Supplement to an Act, entitled, "An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes."*

4. *An Act authorising the Commissioners of Indiana County, to assess and collect Taxes in the County of Jefferson.*

5. *An Act to change the Name of Lewis Dorleans, to Lewis Emery.*

6. *An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.*

7. *An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.*

8. *A Resolution, for the Purchase, and Distribution, of a Number of Copies of the Minutes of the Convention, that framed the present Constitution.*

Adjourned, till 10 o'clock tomorrow morning.

Wednesday, February 22, 1809.

Mr. Dorsey presented the petition of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge, stating that, in the year 1786, the Society received a donation of two hundred guineas, from John Hyacinth de Magellan, of London; granted on condition that the same should be vested in a secure and a permanent Fund, for the purpose of appropriating the interest arising therefrom, annually, for the payment of premiums, to be adjudged by the Society, to the Author of the best discovery, or most useful invention, relating to navigation, astronomy, or natural philosophy. That the donation has been vested in ground-rents. That many premiums have been adjudged. That, during the last year, these ground-rents were assessed and taxed, in a sum equal to one-fifth part of the income; which, if permitted by the Legislature, must interfere with the highly laudable and valuable object and design of the Donor. The petitioners therefore pray, that the said ground-rents may be exempted from taxation. And the said petition was read, and

Laid upon the table.

Mr. Borrows, from the Committee appointed, on the 11th December last, to inquire into the actual state of the Susquehannah Lottery; and to whom was referred, on the 20th of this month, the petition of the subscribers thereto, inhabitants of the township of Baldeagle, in the county of Centre; made report; which was read as follows, *to wit*:

That the Committee have taken considerable pains to obtain some satisfactory information, respecting the same; but have not been able to collect any thing more, than what is contained in a letter, signed by Mr. Beatty, Secretary to the Managers of the said Lottery; the substance of which is, as follows:

The number of the Tickets, in the scheme of said Lottery, is 16,000; of which, but about 8000 have been actually sold. These Tickets, at 5 dollars each, would produce 40,000 dollars: But, of that sum, about 6000 dollars only have been received.

They could finish the Drawing in a few hours; there being only 300 Tickets in the Wheel: But, as the prizes must be paid in 30 days after the Drawing is finished, they think it would be imprudent in them to finish the Drawing, until they were possessed of the means of paying the prizes.

That they are now using proper means to recover the outstanding debts.

This appears to the Committee, by no means, calculated to satisfy the complaints of the People; inasmuch as no vouchers have accompanied the said letter, in corroboration of the statement therein contained; nor is it in itself of such a definitive nature, as to enable a detection of improper conduct, should there have been any.

The authenticity and correctness of the statement can only be judged of, by the veracity of the gentlemen who made it: But this cannot give satisfaction, where they are not known. Therefore, the Committee submit the following Resolution:

*Resolved*, That a Committee be appointed to bring in a Bill, vesting power in the Comptroller-general to compel all Managers, and others, concerned in any Lottery of a public nature, to settle their accounts, agreeably to an Act of the General Assembly of this Commonwealth, passed April 13, 1782.

On motion of Mr. Lacock and Mr. Borrowes,

The said report was again read, considered, and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the said Resolution.

Mr. Miller, from the Committee to whom was yesterday referred the Bill, entitled, "*An Act for the Relief of Alexander Russell*," reported the said Bill, with amendments; which were read as reported.

Mr. Miller, from the Committee to whom was referred, on the 27th of last month, the petition of Samuel Riddle, stating that he had in contemplation to publish *Notes*, relative to land-titles in this Commonwealth; and, for that purpose, wished access to the papers in the Land-office, free of fees, on the ground of

the benefit to the public which must result from the work; made report; which was read, as follows, to wit:

That, after deliberately considering the subject, the Committee are of opinion, that it would be improper to suffer or permit any individual, however respectable, to have recourse or free access to books and papers in any office, for the safe-keeping of which, and safe delivery to his successor, the Officer had been bound, in a large sum of money.

The Committee, however, have understood that such a work might be very useful, and would consist of papers containing the boundaries of the different grants made by the Indians, Indian deeds, papers which regulated the land-office proceedings, during the proprietary government, and many other original papers; some, if not all, of which have been wanted, at different periods, in the Courts of Law, on land-trials; where they were sometimes carried by the Officers themselves, at the risk of being worn out, or lost.

These, if copied into a book, examined, and properly authenticated, would be of use to the citizens, and received as evidence in the Courts; while the original papers remained safe in the office. This labor, although it might be proper to direct to be performed by the Land-officers themselves, under whose care, attention, and responsibility the papers are placed, could not be properly committed to any other individual.

The Committee therefore offer the following Resolution, viz.

*Resolved*, That the petition of Samuel Riddle be discharged.

Whereupon,

On motion, and by special order,

The said report was again read, considered, and the Resolution attached thereto adopted.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Northern Bank of Codorus Creek, opposite the North End of Georgestreet, in the Borough of York, to the Canal Ferry on the River Susque-*

*banna, and from thence up the said River to the Head of the Conewago Falls;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, with amendments; in which the concurrence of that House is requested.

Which amendments are:

That the Road shall commence at the north end of Georgestreet, in the borough of York, instead of beginning at the northern bank of the Creek, opposite the north end of said street;

And to make the title conform to the amendment in the Bill.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth,'*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title of the Bill having been agreed to,

*Ordered*, That it be prepared for the third reading.

The Bill, entitled, "*An Act concerning Contempts of Courts,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Brady and Mr. Miller,

To amend the section, by inserting the following, at the end thereof, *to wit*:

"And to all publications, out of Court, respecting the conduct of the Judges, Officers of the Court, Jurors, Witnesses, Parties, or any of them, of, in, and concerning any cause pending before any Court of this Commonwealth."

So that such publications should be considered a Contempt.

Whereupon,

On motion of Mr. Sommer and Mr. Wayne,

The further consideration of the amendment, and Bill, was postponed, for the present.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Bright in the chair, the consideration of the Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out, and vacating, public and private Roads and Highways.*"

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, three Bills, entitled, respectively, as follow, to wit:

1. *An Act granting certain Privileges to Jonathan Grout.*

2. *An Act enabling certain Trustees, to sell and convey the real Estate of Henry Strater, a Lunatic.*

3. *An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.*

He presented, for signature, the Bill, entitled, "*An Act to perpetuate the Seal of the Commonwealth.*"

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

"*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Northern Bank of Codorus Creek, opposite the North End of Georgestreet, in the Borough of York, to the Canal Ferry on the River Susquehanna, and from thence up the said River to the Head of the Conewago Falls.*"

The Speaker signed the Bill, presented for signature.

The Bills, presented for concurrence, were severally read the first time.

Agreeably to order,

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to regulate the Fisheries in the River Delaware, and its Branches, and for other Purposes,'*" was read the second time.



Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Bill, entitled, "*An Act authorising the Governor to appoint an Auctioneer for the District of Southwark, and the Townships of Moyamensing and Passyunk,*" was read the second time, as reported by Select Committee, on the 17th of this month, and considered by section.

Section 1 being under consideration,

The question, on agreeing thereto, being put, was determined in the negative; and so the Bill was lost.

On motion, of Mr. Roberts and Mr. Rahm,

The Senate resumed the consideration of the Bill, entitled, "*An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties,*" postponed, for the present, on the 20th of this month.

The consideration of section 4 recurring,

On motion of Mr. Roberts and Mr. Rahm,

The section was amended, so as to read as follows, *to wit*:

"That it shall be the duty of the Return-judges of the several counties of this Commonwealth, when met at their respective Courthouses, to make out a return of the persons elected for Auditors; which return shall be, by one of the Judges, deposited with the Prothonotary of the proper county. And it shall be the duty of the said Prothonotary to inform the Auditors of the time of their meeting, annually, at least ten days previous thereto."

The section, thus amended, was adopted.

Section 5 was adopted.

The title of the Bill having been agreed to,

The Yeas and Nays on the question, Shall this Bill be prepared for the third reading? were required by Mr. Preston and Mr. Bright; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Bright,  
Dorsey,  
Doty,  
Grefs,  
Hiester,  
Irish,

YEAS.  
Messrs. Laird,  
M'Arthur,  
Rahm,  
Roberts,  
Udree,  
Lane (*Speaker*). 13.

NAYS.  
Messrs. Campbell,  
Heston,  
Lattimore,  
Mayer,  
Miller,

NAYS.  
Messrs. Preston,  
Rankin,  
Slaymaker,  
Sommer,  
Wayne. 10.

Thirteen Yeas, ten Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be prepared for the third reading.

Adjourned, till 10 o'clock to morrow morning.

—:o:~:o:—

Thursday, February 23, 1809.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the counties of Mercer and Crawford, stating that they are subjected to serious injuries, from the great number of Squirrels and Crows: They therefore pray, that the provisions of the "Act to encourage the Killing of Squirrels and Crows, in certain Parts of this Commonwealth," may be extended to the counties of Crawford and Mercer. And the said petition was twice read, and referred to Mr. M'Arthur, Mr. Slaymaker, and Mr. Mayer, to consider and report thereon.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Mercer county, usually denominated Actual Settlers, stating their deplorable situation, in consequence of the disputes, between them and the Warrantees, remaining undecided; and praying the attention of the Legislature to the subject. And the said petition was read, and  
Laid upon the table.

The Secretary of the Commonwealth presented a message from the Governor ; which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses, in which they originated :

1. *A Supplement to an Act, entitled, " An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes."*

2. *An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis to convey a Lot of Ground, situate in the City of Philadelphia.*

3. *An Act for the Relief of the Heirs of Frederick Vernon, deceased.*

4. *An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson.*

5. *An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.*

6. *An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.*

7. *An Act authorising Jacob Kimmel and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands therein mentioned.*

8. *An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.*

9. *An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof.*

10. *An Act to change the Name of Lewis Dorleans to Lewis Emery.*

11. *A Resolution, directing the Secretary of the Commonwealth to procure thirty-nine Copies of the Minutes of the Convention, that framed the present Constitution, and directing the Manner of their Distribution.*

SIMON SNYDER.

Lancaster, Feb. 23, 1809.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties,'*" was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Weaver and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.		YEAS.	
Messrs. Blocher,		Messrs. Laird,	
Borrows,		M'Arthur,	
Bright,		Mitchell,	
Dorsey,		Roberts,	
Doty,		Stevenson,	
Grefs,		Udree,	
Hiestler,		Weaver,	
Irish,		Lane ( <i>Speaker</i> ).	17.
Lacock,			
NAYS.		NAYS.	
Messrs. Brady,		Messrs. Miller,	
Campbell,		Preston,	
Erwin,		Rankin,	
Heston,		Slaymaker,	
Lattimore,		Sommer,	
Mayer,		Wayne.	12.

Seventeen Yeas, twelve Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That said Bill be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested.

Which amendments are:

Section 1. Strike out, from the word "county," in line 9, to the word "and," in line 25; and insert, in line 8, these words, "and annually thereafter;" so that all the Auditors to be chosen, according to the provisions of this Bill, may be annually elected.

Strike out section 4 (which provides for the election of County Treasurers) and number the remaining sections accordingly.

Make section 4 read as on the Journal of yesterday.

The remaining amendments are merely verbal.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth,'*" was taken up for the third reading.

Whereupon,

On motion of Mr. Sommer and Mr. Wayne,

The further consideration of the said Bill was postponed, for the present.

The Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out, and vacating, public and private Roads and Highways,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble was agreed to.

The title having been amended, so as to read, "*A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeping in Repair the public Roads and Highways, within this Commonwealth, and for laying out private Roads,'*" and agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes,'*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacock in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

On motion of Mr. Lacock and Mr. Roberts, and by special order,

The said Bill was considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, that the said Bill be prepared for the third reading.

Moved by Mr. Weaver and Mr. Lacock,

*Resolved*, That a Committee be appointed to bring in a Bill, establishing an Academy in the county of Greene, on the following principles, *viz.*

1. Authorising and directing the inhabitants to choose, by ballot, six Trustees, to be changed, by lot, so that one may be elected annually, and none be continued longer than six years, without a reelection; under whose direction and management the institution shall be placed.

2. The Trustees to have corporate powers, and be enabled to have and use a Common Seal, hold real estate, sue and be sued, &c.

3. Empowering and directing them to receive the donation of a house already built, by the Society of Episcopalians, in Carmichaelstown (which they have offered) for the use of an Academy for said county.

4. Appropriating the sum of 5000 dollars, for the purpose of assisting the institution, in purchasing scientific books, philosophical apparatus, and forming a fund; out of the interest of which 5 poor Children may be taught gratis.

5. Directing the Trustees annually to exhibit a detailed account, of their receipts and expenditures, to the Auditors of said county, for settlement.

*Ordered* to lie upon the table.

On motion, of Mr. Borrows and Mr. Sommer,  
 The Senate resumed the consideration of the Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches*," postponed, for the present, on the 28th of last month.

Section 1, with the consideration of the amendment thereto, offered by Mr. Weaver and Mr. Roberts, recurring,

A motion was made, by Mr. Roberts and Mr. Lacock,

To postpone the consideration of the said amendment, and the Bill, generally; and required the Yeas and Nays on the motion; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.		YEAS.	
Messrs. Blocher,		Messrs. M'Arthur,	
Bright,		Mitchell,	
Doty,		Preston,	
Lacock,		Rankin,	
Laird,		Roberts,	
Mayer,		Stevenson.	12.
NAYS.		NAYS.	
Messrs. Borrows,		Messrs. Lattimore,	
Brady,		Miller,	
Campbell,		Slaymaker,	
Dorsey,		Sommer,	
Erwin,		Udree,	
Gress,		Wayne,	
Heston,		Weaver,	
Hiester,		Lane ( <i>Speaker</i> ).	17.
Irish,			

Twelve Yeas, seventeen Nays; by which it appeared, that the question was determined in the negative.

Whereupon,

The Yeas and Nays, on the amendment, were required by Mr. Lacock and Mr. Preston; and, on the question being put, the Members voted as follow, *viz.*

YEAS.		YEAS.	
Messrs. Blocher,		Messrs. Rankin,	
Doty,		Roberts,	
Lacock,		Stevenson,	
Laird,		Weaver,	
M'Arthur,		Lane ( <i>Speaker</i> ).	11.
Mitchell,			
NAYS.		NAYS.	
Messrs. Borrows,		Messrs. Campbell,	
Brady,		Dorsey,	
Bright,		Erwin,	

## NAYS.

Messrs. Gress,  
Heston,  
Hiefter,  
Irish,  
Lattimore,  
Mayer,

## NAYS .

Messrs. Miller,  
Preston,  
Slaymaker,  
Sommer,  
Udree,  
Wayne. 18.

Eleven Yeas, eighteen Nays; by which it appeared, that the question was determined in the negative.

A motion was made; by Mr. Roberts and Mr. Mayer,

To amend the section, by inserting the following, in line 17 :

“ And that no Office of Discount and Deposit be opened in any town or borough in this State, in which the Bank of Pennsylvania shall have previously established an Office of Discount and *Deposit*: *Provided, nevertheless,* That the Bank of Pennsylvania, in like manner, do not open an Office of Discount and Deposit in any town or borough, in which the Bank of Philadelphia shall have previously established an Office of Discount and Deposit.”

A division of the motion was requested, by Mr. Lacock, so that a question may first be taken thereon, to end with the word *Deposit*, where it occurs the second time.

Whereupon,

The Yeas and Nays on the question, Will Senate adopt the first sentence of the said amendment? were required by Mr. Roberts and Mr. Doty; and, on the question being put, the Members voted as follow, *to wit* :

## YEAS.

Messrs. Blocher,  
Brady,  
Doty,  
Irish,  
Lacock,  
Laird,  
Mayer,  
M'Arthur,

## YEAS.

Messrs. Mitchell,  
Preston,  
Rankin,  
Roberts,  
Slaymaker,  
Stevenson,  
Wayne,  
Weaver. 16.



## NAYS.

Messrs. Borrows,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Gress,  
Heston,

## NAYS.

Messrs. Hiefter,  
Lattimore,  
Miller,  
Sommer,  
Udree,  
Lane (*Speaker*). 13.

Sixteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

The remaining sentence of the motion was adopted.

A motion was then made, by Mr. Doty and Mr. Roberts,

Further to amend the section, by adding the following, before the last proviso in the Bill, *to wit*:

“*And provided, also, That the President, Directors, and Company, aforesaid, shall recall and annul the said Office of Discount and Deposit, on the request of a majority of the taxable inhabitants of such town or borough.*”

Which was not agreed to.

A motion was made, by Mr. Lacock and Mr. M'Arthur,

To amend the section, by inserting the following, in line 6, *viz.*

“To continue in operation until the 4th of March, 1813, and no longer;”

Referring to the time of existence of the said Branches.

On which motion, Mr. Lacock and Mr. M'Arthur called the Yeas and Nays; and, on the question being put, the Members voted as follow, *viz.*

## YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Lacock,  
Laird,  
M'Arthur,

## YEAS.

Messrs. Mitchell,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 12.

YEAS.  
Messrs. Blocher,  
Bright,  
Dorsey,  
Doty,  
Gress,  
Hiestler,  
Irish,

YEAS.  
Messrs. Laird,  
M'Arthur,  
Rahm,  
Roberts,  
Udree,  
Lane (*Speaker*). 13.

NAYS.  
Messrs. Campbell,  
Heston,  
Lattimore,  
Mayer,  
Miller,

NAYS.  
Messrs. Preston,  
Rankin,  
Slaymaker,  
Sommer,  
Wayne. 10.

Thirteen Yeas, ten Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be prepared for the third reading.

Adjourned, till 10 o'clock to morrow morning.



Thursday, February 23, 1809.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the counties of Mercer and Crawford, stating that they are subjected to serious injuries, from the great number of Squirrels and Crows: They therefore pray, that the provisions of the "Act to encourage the Killing of Squirrels and Crows, in certain Parts of this Commonwealth," may be extended to the counties of Crawford and Mercer. And the said petition was twice read, and referred to Mr. M'Arthur, Mr. Slaymaker, and Mr. Mayer, to consider and report thereon.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of Mercer county, usually denominated Actual Settlers, stating their deplorable situation, in consequence of the disputes, between them and the Warrantees, remaining undecided; and praying the attention of the Legislature to the subject. And the said petition was read, and

Laid upon the table.

The Secretary of the Commonwealth presented a message from the Governor ; which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses, in which they originated :

1. *A Supplement to an Act, entitled, " An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes."*

2. *An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplissis to convey a Lot of Ground, situate in the City of Philadelphia.*

3. *An Act for the Relief of the Heirs of Frederick Vernon, deceased.*

4. *An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson.*

5. *An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.*

6. *An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.*

7. *An Act authorising Jacob Kimmel and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands therein mentioned.*

8. *An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.*

9. *An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof.*

10. *An Act to change the Name of Lewis Dorleans to Lewis Emery.*

11. *A Resolution, directing the Secretary of the Commonwealth to procure thirty-nine Copies of the Minutes of the Convention, that framed the present Constitution, and directing the Manner of their Distribution.*

SIMON SNYDER.

Lancaster, Feb. 23, 1809.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties,'*" was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Weaver and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.		YEAS.	
Messrs. Blocher,		Messrs. Laird,	
Borrows,		M'Arthur,	
Bright,		Mitchell,	
Dorsey,		Roberts,	
Doty,		Stevenfon,	
Grefs,		Udree,	
Hiestler,		Weaver,	
Irish,		Lane ( <i>Speaker</i> ).	17.
Lacock,			
NAYS.		NAYS.	
Messrs. Brady,		Messrs. Miller,	
Campbell,		Preston,	
Erwin,		Rankin,	
Heston,		Slaymaker,	
Lattimore,		Sommer,	
Mayer,		Wayne.	12.

Seventeen Yeas, twelve Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That said Bill be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested.

Which amendments are:

Section 1. Strike out, from the word "county," in line 9, to the word "and," in line 25; and insert, in line 8, these words, "and annually thereafter;" so that all the Auditors to be chosen, according to the provisions of this Bill, may be annually elected.

Strike out section 4 (which provides for the election of County Treasurers) and number the remaining sections accordingly.

Make section 4 read as on the Journal of yesterday.

The remaining amendments are merely verbal.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth,'*" was taken up for the third reading.

Whereupon,

On motion of Mr. Sommer and Mr. Wayne,

The further consideration of the said Bill was postponed, for the present.

The Bill, entitled, "*An Act supplementary to sundry Laws of this Commonwealth, as respects the laying out, and vacating, public and private Roads and Highways,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble was agreed to.

The title having been amended, so as to read, "*A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeping in Repair the public Roads and Highways, within this Commonwealth, and for laying out private Roads,'*" and agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes,'*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacock in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act to incorporate the Marine Insurance Company of Philadelphia.*

And, for signature, the Bill, entitled,

*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the North End of Georgestreet, in the Borough of York, to the Canal Ferry on the River Susquehanna, and from thence up the said River to the Head of the Conewago Falls.*

And he informed, that the House of Representatives do not concur in the amendment, by Senate, to the Bill, entitled,

*An Act to allow the Philadelphia Bank to establish Branches.*

The Speaker signed the Bill presented for signature.

The Bill, presented for concurrence, was read the first time.

On motion of Mr. Roberts and Mr. Doty,

The Senate resumed, in Committee of the Whole, Mr. Preston in the chair, the consideration of the Bill, entitled, "*An Act to incorporate the Millgrove Mine Company.*"

And, after some time,

The Committee rose, reported progress, and asked leave to sit again; which was not granted.

Thereupon,

The said Bill was referred to Mr. Roberts, Mr. Sommer, and Mr. Weaver, to consider and report thereon.

Adjourned, till 10 o'clock tomorrow morning.



Saturday, February 25, 1809.

The Speaker laid before the Senate a Letter, from Samuel Wright, which was read as follows, viz.

*To the honorable PRESLY C. LANE, Esquire,  
Speaker of the Senate of Pennsylvania.*

As I have been informed that the Legislature have a Bill before them, for the Removal of the Seat of

Government of Pennsylvania; I would therefore, through you, wish to inform the honorable Senate, that, should they remove from Lancaster, and make the town of Columbia the Permanent Seat of Government, I will give, gratis, to the State, on which to erect suitable Buildings for the accommodation of the Legislature, and public Offices, eight acres of ground, well calculated for the aforesaid purposes.

Yours, with respect,

SAMUEL WRIGHT.

*Columbia, Feb. 24, 1809.*

Whereupon,

On motion of Mr. Weaver and Mr. Miller,

The said letter was again read, and referred to the Committee of the Whole, when the Bill, for establishing the Seat of Government, shall be under consideration by that Committee.

Mr. M'Arthur presented the petition of the subscribers thereto, inhabitants of the counties of Erie, Crawford, Venango, Mercer, and Butler, stating that considerable embarrassments are experienced, by the People in the said counties, in consequence of two of the terms of the Court of Common Pleas being fixed in the months of December and March; when the roads are extremely bad, and waters difficult to cross. The petitioners therefore pray, that the terms of the said Court may be fixed as they formerly were, *viz.* in the months of February, May, August, and November. And the said petition was twice read, and referred to the Committee of the Whole, when that Committee shall have the Bill, on the subject of the Judiciary, under consideration.

Mr. Sommer presented the petition of John Patton, of the township of Oxford, and county of Philadelphia, stating that he enlisted in the first regiment of the Pennsylvania Line, in the year 1777; that he was wounded at the battle of Kingsbridge; that, in consequence of the wound, and his advanced age, he is unable to support himself: He therefore prays relief. And the said petition was twice read, and referred to Mr. Sommer, Mr. Irish, and Mr. Borrows to consider and report thereon.

On which motion, Mr. Roberts and Mr. Doffey required the Yeas and Nays; and, on the question being put, the Members voted as follow, viz.

## YEAS.

Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Erwin,  
Gress,  
Heston,  
Hiefter,  
Irish,  
Lacock,  
Laird,

## NAYS.

Messrs. Bright,  
Dorsey,  
Doty,  
M'Arthur,  
Mitchell,

## YEAS.

Messrs. Lattimore,  
Mayer,  
Miller,  
Preston,  
Slaymaker,  
Sommer,  
Udree,  
Wayne,  
Weaver,  
Lane (*Speaker*). 21.

## NAYS.

Messrs. Rahm,  
Rankin,  
Roberts,  
Stevenson. 9.

Twenty-one Yeas, nine Nays; by which it appeared, that the question was determined in the affirmative.

Whereupon,

On motion of Mr. Lacock and Mr. Sommer, *Agreed*, That Thursday next be assigned for the further consideration of the said Bill.

On motion, of Mr. Lacock and Mr. Roberts, The Senate proceeded to the consideration of the message from the House of Representatives, informing that that House do not concur in the amendment, by Senate, on the Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches.*"

Which amendment is as follows, viz.

To insert, in line 17, after the word *borough*:

"And that no Office of Discount and Deposit be opened in any town or borough, of this State, in which the Bank of Pennsylvania shall have previously established an Office of Discount and *Deposit*: *Provided, nevertheless*, That the Bank of Pennsylvania, in like manner, do not open an Office of Discount and Deposit in any town or borough, in which the Bank of



Philadelphia shall have previously established an Office of Discount and Deposit."

Mr. Roberts called for a division of the amendment, so that a question may be taken on the first sentence, ending with the word *Deposit*, where it occurs the second time.

Whereupon,

The Yeas and Nays, on receding from the first part of the said amendment, were required by Mr. Roberts and Mr. Sommer; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Borrows,  
Bright,  
Dorsey,  
Erwin,  
Gress,  
Heston,  
Hiester,

## NAYS.

Messrs. Blocher,  
Brady,  
Campbell,  
Doty,  
Irish,  
Lacock,  
Mayer,  
M'Arthur,

## YEAS.

Messrs. Laird,  
Lattimore,  
Miller,  
Rahm,  
Sommer,  
Udree,  
Lane (*Speaker*). 14.

## NAYS.

Messrs. Mitchell,  
Preston,  
Rankin,  
Roberts,  
Slaymaker,  
Stevenson,  
Wayne,  
Weaver. 16.

Fourteen Yeas, sixteen Nays; by which it appeared, that the question was determined in the negative.

Thereupon,

The question, Will Senate recede from the latter sentence of the said amendment? being put, was determined in the negative.

*Ordered*, That the Clerk acquaint the House of Representatives, that Senate have not receded from their amendment on the said Bill.

The report of the Committee, on the petition of William C. Smyth, read on the 16th of this month, was again read; and, being under consideration,

A motion was made, by Mr. Lacock and Mr. Miller,

On which motion, Mr. Roberts and Mr. Dotsey required the Yeas and Nays; and, on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Blocher,  
Borrows,  
Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Hiestler,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Bright,  
Dorsey,  
Doty,  
M'Arthur,  
Mitchell,

YEAS.  
Messrs. Lattimore,  
Mayer,  
Miller,  
Preston,  
Slaymaker,  
Sommer,  
Udree,  
Wayne,  
Weaver,  
Lane (*Speaker*). 21.

NAYS.  
Messrs. Rahm,  
Rankin,  
Roberts,  
Stevenson. 9.

Twenty-one Yeas, nine Nays; by which it appeared, that the question was determined in the affirmative.

Whereupon,

On motion of Mr. Lacock and Mr. Sommer,  
*Agreed*, That Thursday next be assigned for the further consideration of the said Bill.

On motion, of Mr. Lacock and Mr. Roberts,  
The Senate proceeded to the consideration of the message from the House of Representatives, informing that that House do not concur in the amendment, by Senate, on the Bill, entitled, "*An Act allowing the Philadelphia Bank to establish Branches.*"

Which amendment is as follows, *viz.*

To insert, in line 17, after the word *borough*:

"And that no Office of Discount and Deposit be opened in any town or borough, of this State, in which the Bank of Pennsylvania shall have previously established an Office of Discount and *Deposit*: *Provided, nevertheless*, That the Bank of Pennsylvania, in like manner, do not open an Office of Discount and Deposit in any town or borough, in which the Bank of

Philadelphia shall have previously established an Office of Discount and Deposit."

Mr. Roberts called for a division of the amendment, so that a question may be taken on the first sentence, ending with the word *Deposit*, where it occurs the second time.

Whereupon,

The Yeas and Nays, on receding from the first part of the said amendment, were required by Mr. Roberts and Mr. Sommer; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Borrows,  
Bright,  
Dorsey,  
Erwin,  
Gress,  
Heston,  
Hiester,

## NAYS.

Messrs. Blocher,  
Brady,  
Campbell,  
Doty,  
Irish,  
Lacock,  
Mayer,  
M'Arthur,

## YEAS.

Messrs. Laird,  
Lattimore,  
Miller,  
Rahm,  
Sommer,  
Udree,  
Lane (*Speaker*). 14.

## NAYS.

Messrs. Mitchell,  
Preston,  
Rankin,  
Roberts,  
Slaymaker,  
Stevenson,  
Wayne,  
Weaver. 16.

Fourteen Yeas, sixteen Nays; by which it appeared, that the question was determined in the negative.

Thereupon,

The question, Will Senate recede from the latter sentence of the said amendment? being put, was determined in the negative.

*Ordered*, That the Clerk acquaint the House of Representatives, that Senate have not receded from their amendment on the said Bill.

The report of the Committee, on the petition of William C. Smyth, read on the 16th of this month, was again read; and, being under consideration,

A motion was made, by Mr. Lacock and Mr. Miller,

To postpone the further consideration thereof, generally; which was agreed to.

The message from the House of Representatives, informing that that House do adhere to their amendment, not concurred in by Senate, on the Bill, entitled, "*An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth,*" was again read.

Whereupon,

*Resolved*, That Senate do insist upon their non-concurrence of the said amendment. And

*Ordered*, That Mr. Lacock, Mr. Stevenson, and Mr. Laird be a Committee, to join a Committee of the House of Representatives, on the subject of the said amendment.

And that the Clerk acquaint the House of Representatives thereof.

Adjourned, till 10 o'clock Monday morning.

—:o:o:~:o:o:—

Monday, February 27, 1809.

Mr. Preston presented the petition of the subscribers thereto, inhabitants of Delaware county, stating that a very injurious practice prevails in that county, of killing Rabbits, Pheasants, and Partridges, out of season: They therefore pray, that an Act may be passed, prohibiting, under adequate penalties, any person from killing any of those animals, in Delaware county, at any other time or season, excepting during the months of September, October, November, and December. And the said petition was twice read, and referred to Mr. Preston, Mr. Bright, and Mr. Stevenson, to consider and report thereon.

Mr. Borrows presented the petition of the subscribers thereto, inhabitants of Lycoming county, stating that John Domini owns a tract of land, on the West Branch of the river Susquehanna, in the said county, through which a public road passes; that a ferry will be necessary, across the said river, opposite the said land: They therefore pray for an Act, establishing a

ferry there, and vesting the right in John Domini, his heirs and assigns. And the said petition was twice read, and referred to Mr. Borrows, Mr. Irish, and Mr. Preston, to consider and report thereon.

Mr. Campbell, from the Committee to whom was referred, on the 19th of last month, the petition of Thomas Hunt, made report; which was read as follows, *to wit*:

That it appears to the Committee, from well-attested evidence, that the petitioner had enlisted, and served faithfully during the War with Great Britain; and, at the conclusion thereof, received a regular discharge; and that, hitherto, he has made out, by hard labor, to gain a subsistence: But being, in a great measure, deprived of his eyesight, and being poor and destitute of the comforts of life, he is entirely dependent on the bounty of the liberal and charitable, for his subsistence. And, as it appears cruel to neglect the suffering Soldier, who has faithfully served his Country in the hour of danger, and now, in old age, to cast him on the charity of the world; the Committee, therefore, think his case one well deserving of legislative provision, and offer the following Resolution:

*Resolved*, That a Committee be appointed to bring in a Bill, for allowing the petitioner the sum of dollars annually, during the remainder of his life.

Ordered to lie upon the table.

The Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice,'*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole; Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Wednesday next.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act granting a Sum of Money to Catharine Shibe, for Services rendered by her late Husband, in the revolutionary War.*

And an Extract from the Journal of that House.

The Bill, presented for concurrence, was read the first time.

The Extract from the Journal of the House of Representatives was read as follows, viz.

*“ In the House of Representatives.*

*February 27, 1809.*

*“ Ordered, That Messrs. Mitchell, R. Smith, and C. Tarr be a Committee, to confer with a Committee of the Senate, already appointed, on the subject of the amendment, by this House, to the Bill, entitled, “ An Act further to extend the Jurisdiction of the Aldermen, and Justices of the Peace, of this Commonwealth, non-concurred in by Senate, and insisted on by this House.”*

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have received information, that the Supreme Court of the United States hath ordered a peremptory Mandamus to be issued, in the suit of Gideon Olmstead and others, versus Elizabeth Sergeant and Esther Waters, Executrixes of the late Mr. Rittenhouse; and that immediate application will be made to Richard Peters, Judge of the District Court of Pennsylvania, for an execution against the persons and effects of the said Elizabeth Sergeant and Esther Waters; or that, rather, as it is an admiralty proceeding, an attachment against their persons will be the compulsory process adopted on the occasion.

By the Act of the 2d of April, 1803, Mrs. Sergeant and Mrs. Waters are directed to pay a sum of money, arising out of the sale of the British Sloop Active, captured during the late revolutionary War, into the State Treasury. With the requisition of that Law, the said Executrixes have complied. It now becomes my Duty, agreeably to the provisions of that Act, to protect the property and persons of the said Executrixes, against such process. Painful as this Duty

is, I am compelled, and am now making arrangements to call out a portion of the Militia for that service; that being the only means in the power of the Executive.

As the execution of this Law may produce serious Difficulties, as it respects the relation of the State Government with that of the United States, I have thought proper to make this communication; on which the Legislature can act as, in their wisdom, they shall think expedient.

SIMON SNYDER.

*Lancaster, Feb. 27, 1809.*

Whereupon,

On motion of Mr. Lacock and Mr. Weaver,

The said message was again read, and referred to Mr. Sommer, Mr. Roberts, Mr. Wayne, Mr. Brady, and Mr. Weaver, to consider and report thereon.

Mr. Erwin, from the Committee appointed for that purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, two Bills, entitled, respectively, as follow, viz.

1. *An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the North End of Georgestreet, in the Borough of York, to the Canal Ferry on the River Susquehanna.*

2. *An Act to perpetuate the Great Seal of this Commonwealth.*

Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Tuesday, February 28, 1809.

Mr. Preston, from the Committee to whom was, yesterday, referred the petition of the subscribers thereto, inhabitants of Delaware county, on leave now given, reported the Bill, entitled, "*An Act to prevent the Killing of Rabbits, Pheasants, and Partridges, out of Season, in the County of Delaware;*" which was read the first time.

The Bill, entitled, "*An Act for the more effectual Organization of the Courts of Common Pleas,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Brady in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the twenty-third Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County.*

Which was read the first time.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

Agreeably to order,

The Bill, entitled, "*An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Roberts in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.



Agreeably to order,

The Bill, entitled, "*An Act granting an Annuity to Hugh Ross,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, March 1, 1809.

Mr. Stevenson, from the Committee appointed for that purpose, on the 24th of last month, reported the Bill, entitled, "*An Act granting an Annuity to George Blakely;*" which was read the first time.

Mr. Borrows, from the Committee to whom was referred, on the 27th of last month, the petition of the subscribers thereto, inhabitants of Lycoming county, on leave now given, reported the Bill, entitled, "*An Act to establish a Public Ferry on the North Side of the West Branch of Susquehanna, about two Miles below Williamsport, in the County of Lycoming, and to vest the Right thereof in John Domini, his Heirs and Assigns;*" which was read the first time.

The Bill, entitled, "*An Act to incorporate the President and Directors of the Waterpipes in Aaronburg,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Wayne and Mr. Doty,

To amend the section, by striking from lines 50, 51, and 52, the following:

"Which shall be recovered by the President and Directors, in the same manner as debts of equal amount are or may be, by Law, recoverable."

Referring to the fines and penalties.

Whereupon,

On motion of Mr. Lacock and Mr. Borrowes,  
The further consideration of the said amendment,  
and Bill, was postponed, for the present.

The Bill, entitled, "*An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Lacock and Mr. Hiefter,

To postpone the further consideration of the section,  
and Bill, for the present; which was agreed to.

The Bill, entitled, "*An Act granting an Annuity to Hugh Ross,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Wayne and Mr. Roberts,

To postpone the further consideration of the section,  
and Bill, for the present; which was agreed to.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Preston in the chair, the consideration of the Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice.'*"

And, after some time,

The Committee rose, and reported the said Bill,  
with amendments; which were read as reported.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Laird in the chair, the consideration of the Bill entitled, "*An Act to authorise the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water.*"

And, after some time,

The Committee rose, reported progress, and had  
leave to sit again on Monday next.

The Clerk of the House of Representatives presented, for concurrence, four Bills, entitled, respectively, as follow, *to wit*:

1. *An Act for the Relief of John Vanleer.*
2. *An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned.*
3. *An Act for the Relief of James Wallace.*
4. *A Supplement to the Act, entitled, "An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties," passed the 29th Day of March, 1803.*

Which were severally read the first time.

Adjourned, till 10 o'clock tomorrow morning.



Thursday, March 2, 1809.

The Speaker laid before the Senate a petition and letters; of which the following are copies, *to wit*:

*To the honorable the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met.*

The Petition of the Subscribers,

RESPECTFULLY SHOWETH;

That their farm is elegantly and eligibly situated, on the Bank of the river Susquehanna, 18 miles from Lancaster, 10 miles above Columbia, 18 below Harrisburg, and 8 miles from the borough of York. The place is high and healthy, and well calculated for the situation of a large town. There is also a good landing, and safe harbor for boats. Every material for building can be procured with convenience. In the neighborhood there are a good marble quarry, freestone, ditto, limestone in abundance, and good clay for the manufacture of bricks.

Should your honorable body think proper to fix upon this elegant place, as the site for the Seat of the State Government, your petitioners will engage to furnish, free of expence, forty-five acres of ground, for

the erection of Public Buildings, and such other purposes as the Legislature may, in their wisdom, direct. And, on the determination being known, that your honorable body would agree to fix upon the aforesaid place, as a Permanent Residence, the subscribers will also agree to furnish a considerable sum of money, for the erection of fire-proof Buildings for the safe-keeping of the public records.

And your petitioners, &c. will ever pray.

WILLIAM B. GALBRAITH,  
JAMES GALBRAITH.

*Harrisburg, Feb. 27, 1809.*

SIR,

The very important question, now before the Senate of the State of Pennsylvania, as respects the Removal of the Seat of Government, has naturally produced a degree of sensibility in the public mind, in which I must necessarily be concerned. Situated, as my property is, adjoining the Public Ground, I conceive it a duty I owe to the general advancement of Harrisburg, to make offers, by no means inconsistent with my own interest; but, as far as they go, compatible with the general good of the State.

I believe that the determination of the Senate and House of Representatives is, to fix the Permanent Seat of Government at the most convenient spot, combined with the general advantage of the State. On this question, as on every other, I think, as I always have done, that the Senate and House of Representatives will (without a view to any particular spot) decide with their usual wisdom and impartiality. I therefore now offer to convey ten acres of land, adjoining the Public Ground, to the Commonwealth, gratis; being the same recognised in the Bill pending before the Senate; to be used for such purposes as may be agreed on, and disposed of by the wisdom of the Legislature: *Provided* they fix the Permanent Seat of Government at Harrisburg.

I have the honor to be, with sentiments of respect,  
your most obedient and very humble servant.

WILLIAM MACLAY.

*The hon. P. C. LANE, Speaker of the Senate.*

*Harrisburg, Feb. 27, 1809.*

SIR,

Understanding that there is a Bill before the Senate, for establishing the Seat of Government at Harrisburg, in the county of Dauphin; and that, to counteract this Bill, the inhabitants of Lancaster have made an offer of eight acres of land, and 40,000 dollars, in cash, to induce its establishment at that place; we, the undersigned, a Committee appointed in behalf of the citizens of Harrisburg, at a meeting held this day, beg leave respectfully to represent to the honorable Senate, through you, that the four-acre lot, appropriated by the late Mr. John Harris, together with the ten acres proposed by Mr. William Maclay, appear to us to be offers essentially necessary; because, without the consent of the owners, this land could not have been purchased, at any price.

It is, however, we humbly conceive, all that ought to be offered; for we cannot suppose it possible, that any sum of money whatever would, in the smallest degree, influence the Legislature of Pennsylvania to vote, contrary to what they believe to be for the general interests of the State.

If the central situation of Harrisburg, on the bank of the Susquehanna, at a point where a number of the principal roads of the State centre, on a spot admitted by all to be eligible in the highest degree, in the midst of a highly-improved and fertile country, where materials for building can be procured in as great abundance, and at as cheap a rate, as any where in the State; where a combination of local and natural advantages hold out, to the State, prospects of future greatness, superior to any other place now in contemplation; are not considered as sufficient arguments in its favor, we have nothing further to urge.

We have only to solicit a final determination on this long-contested question. Let the public mind be placed at rest. Let the Seat of Government be established somewhere. Should the ultimate determination be against this place, it becomes our duty to acquiesce. We will do so, under the consoling reflection, that we have never stooped to indignities; nor will it ever

appear, upon the page of history, or on the Journals of the Legislature, that we have insulted the feelings of our Representatives, by interfering with the dignity of general representation.

In behalf of ourselves and our fellow-citizens, we tender to you, and to the Legislature generally, assurances of our high respect and consideration.

ROBERT HARRIS,  
JOHN IRWIN,  
JOHN FORSTER,  
JOHN DOWNEY,  
JOHN WYETH.

PRESLY C. LANE, *Esq.*

*Speaker of the Senate.*

And, on motion,

The said petition and letters were again severally read, and referred to the Committee of the Whole, when they shall have under consideration the Bill, for fixing the Seat of Government.

Mr. Dorsey presented the petition of the subscribers thereto, a Committee appointed by and on behalf of the Hebrew Congregation, of the city of Philadelphia, stating that three of the Commissioners named in the Act authorising the said Congregation to raise, by way of Lottery, a certain sum of money, have neglected, and do refuse, to perform the duties enjoined by the said Act, to the great injury of the said Congregation: The petitioners therefore pray, that the Governor may be authorised to appoint other Commissioners. And the said petition was twice read, and referred to the Members representing the first district, to consider and report thereon.

Mr. Sommer presented the petition of the subscribers thereto, stating that they purchased certain tracts of land, situate in several counties of this Commonwealth, from Commissioners appointed for the collection of certain debts due to this Commonwealth, from the real property of John Nicholson, deceased, under a full and perfect understanding, that the Taxes assessed, previous to the sales made by the said Commissioners, had been paid, or would be paid, by the Commonwealth; that those taxes are yet unpaid: The petitioners

therefore pray the attention of the Legislature thereto. And the said petition was twice read, and referred to Mr. Sommer, Mr. Rahm, and Mr. Roberts, to consider and report thereon.

Mr. Dorsey presented the petition of the subscribers thereto, inhabitants of the city and county of Philadelphia, and part of the county of Montgomery, praying that a company may be incorporated, for turnpiking the Ridge Road, from Philadelphia to the intersection of the said road with the Germantown and Perkiomen Turnpike, at Barrenhill. And the said petition was twice read, and referred to Mr. Dorsey, Mr. Roberts, Mr. Hiestler, Mr. Udree, Mr. Heston, Mr. Erwin, and Mr. Gress, to consider and report thereon.

Mr. Borrows, from the Committee to whom was referred, on the 16th of last month, the petitions of the subscribers thereto, enrolled Militia of one of the Battalions composing the fourth regiment of the Pennsylvania Militia, on leave now given, reported the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to regulate the Militia of this Commonwealth;'*" which was read the first time.

Agreeably to order,

The Bill entitled, "*An Act establishing the Seat of Government, of the Commonwealth of Pennsylvania, at Harrisburg, in the County of Dauphin,*" was read the second time.

Whereupon,

A motion was made, by Mr. Sommer and Mr. Laird;

To postpone the further consideration of the said Bill; and recommend it to the special attention of the next Legislature.

On which motion,

Mr. Roberts and Mr. Doty required the Yeas and Nays.

And, after debate,

On the question being put, the Members voted as follow, to wit:

**YEAS.**  
**Messrs. Borrows,**  
**Campbell,**  
**Gress,**  
**Heston,**  
**Hiefter,**  
**Irish,**  
**Laird,**  
**Lattimore,**

**NAYS.**  
**Messrs. Blocher,**  
**Brady,**  
**Dorsey,**  
**Doty,**  
**Erwin,**  
**Lacock,**  
**M'Arthur,**

**YEAS.**  
**Messrs. Mayer,**  
**Miller,**  
**Palmer,**  
**Preston,**  
**Slaymaker,**  
**Sommer,**  
**Udree,**  
**Wayne. 16.**

**NAYS.**  
**Messrs. Mitchell,**  
**Rahm,**  
**Rankin,**  
**Roberts,**  
**Stevenson,**  
**Weaver,**  
**Lane (Speaker). 14.**

Sixteen Yeas, fourteen Nays; by which it appeared, that the question was determined in the affirmative.

The Clerk of the House of Representatives informed Senate, that the House of Representatives have receded from their non-concurrence to the amendments, made and insisted on by Senate, to the Bill, entitled,

*An Act allowing the Philadelphia Bank to establish Branches.*

And further, that the House of Representatives do not concur in the amendment, by Senate, to the Bill, entitled,

*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlborough-street and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid.*

And he presented, for signature, the Bill, entitled,  
*An Act allowing the Philadelphia Bank to establish Branches.*

Whereupon,  
 The Speaker signed the said Bill.



The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary of the Commonwealth to return the same to the Houses in which they respectively originated, viz.

1. *An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the North End of Georgestreet, in the Borough of York, to the Canal Ferry on the River Susquehanna, and from thence up the said River to the Head of the Conewago Falls.*

2. *An Act to perpetuate the Great Seal of this Commonwealth.*

SIMON SNYDER.

Lancaster, March 2, 1809.

Agreeably to order,

The Bill, entitled, "*An Act to incorporate the Marine Insurance Company, of Philadelphia,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time, the Committee rose, reported progress, and had leave to sit again on the 7th instant.

Agreeably to order,

The Bill, entitled, "*An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia, and its Neighborhood,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for the Relief of the Poor,'*" was read the second time, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Sommer and Mr. Erwin,

To amend the section, by inserting, in line 11, a provision,

"That no person shall be obliged to serve, as Overseer of the Poor, more than one year in seven."

Which was agreed to, and the section, as amended, adopted.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The report of the Committee, on the petition of Thomas Hunt, read on the 27th of last month, was again read, considered; and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the Resolution.

Moved by Mr. Wayne and Mr. Roberts,

*Resolved*, That the Legislature will adjourn, without day, on Tuesday, the 28th of this month.

*Ordered* to lie upon the table.

• The report of the Committee, on the petition of the subscribers thereto, inhabitants of the counties of Dauphin and Adams, read on the 20th of last month, was again read, considered, and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the Resolution.

Mr. Laird, from the Committee appointed for that purpose, made report, That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bill, entitled,

*An Act allowing the Philadelphia Bank to establish Branches.*

Adjourned, till 10 o'clock tomorrow morning.

Friday, March 3, 1809.

Mr. Wayne presented three petitions, of similar purport, from the subscribers thereto, inhabitants of the counties of Delaware and Montgomery, stating the embarrassments which are experienced by those persons who attend the Highstreet Market, in Philadelphia, in consequence of a want of convenient stalls or shambles; that the Corporation are authorized to extend the said Market, and appropriate one-half of said extension for the use of the country People who attend the Market, free of expence. That the Corporation do not feel themselves justified in appropriating a large sum of money, for the erection of Markethouses where there exists no expectation of receiving an interest for the money so expended. The petitioners therefore pray, that the Legislature will pass an Act, authorising the Corporation to let or rent the half of such Market (when erected) for the use of the country People, and the other half to Butchers, &c. on the usual terms. And the said petitions were severally twice read, and referred to the Members representing the city and county of Philadelphia, and counties of Delaware, Chester, and Montgomery.

Mr. Irish presented the petition of William Tegarden, a soldier in the revolutionary War with Great-britain, stating that, while in performing his duty, he lost both his arms and one of his eyes, by the discharge of a cannon; that, in consequence of this severe and melancholy accident, he received a pension from the United States, of seventy-six dollars per annum, which was afterwards reduced, and now he only receives sixty dollars per annum; that he has a large family, and is unable, under his peculiarly distressing situation, to support them; and therefore prays relief. And the said petition was twice read, and referred to Mr. Irish, Mr. Borrows, and Mr. Stevenson, to consider and report thereon.

Mr. Lacock, from the Committee on the subject of the Judiciary, on leave now given, made further report, by a Bill, entitled, "*An Act enjoining further*

*Duties on the Judges of the Supreme Court;*" which was read the first time.

The Speaker laid before the Senate a letter; of which the following is a copy:

*Philadelphia, Feb. 27, 1809.*

SIR,

I have the honor to inclose a proposal, I have this day published, for printing, by subscription, the Report of the Judges of the Supreme Court, and *all the English Statutes* in force in this Commonwealth.

In the proposal, I have stated some of the reasons which induced me to issue it. I have frequently consulted with the Attorney-general, on such publication; and he agreeing most decidedly, as to the utility and necessity of such a work, has authorised me to say, that he will give his assistance to complete it, in its most useful and perfect form.

My object, in the present letter, is, to solicit that the Legislature will subscribe for so many copies, as the nature of the proposed publication, and the terms upon which it is offered, shall justify; and as, in their opinion, shall tend to further the views of the Legislature, in their efforts to carry into effect the object contemplated, when the Legislature called upon the Judges of the Supreme Court to make Report, as to what English Statutes were in force in this Commonwealth, and which of them ought to be incorporated into the Laws of Pennsylvania.

I have the honor to be, sir,

Yours, very respectfully,

JOHN BINNS.

*To the honorable the Speaker  
of the Senate of Pennsylvania.*

On motion of Mr. Lacock and Mr. Laird,

The said letter was again read, and referred to the Committee of the Whole, when they shall have under consideration the Bill, entitled, "*An Act enjoining further Duties on the Judges of the Supreme Court.*"

Mr. Dorsey, from the Committee to whom was, yesterday, referred the petitions of the subscribers thereto, inhabitants of the city and county of Philadelphia, and part of Montgomery county, praying for

an Act of Incorporation for a company to make an artificial or turnpike road, on the bed of the old Ridge Road, made report; which was read as follows, viz.

That it is inexpedient to grant the prayer of the petitioners; and that they have leave to withdraw the said petition.

Whereupon,

On motion, and by special order,

The said report was again read; and, being under consideration,

A motion was made, by Mr. Dorsey and Mr. Sommer,

To postpone the further consideration thereof, for the purpose of introducing the following:

*Resolved*, That a Committee be appointed to bring in a Bill, agreeably to the prayer of the petitioners.

Which was not agreed to.

The original report was adopted.

On motion of Mr. Dorsey and Mr. Hiestler,

The Committee appointed, on the 13th of December last, on the petition of the President and Managers of the Company, for promoting the cultivation of the Vine, was discharged.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for the Relief of the Poor,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, with one amendment; in which the concurrence of that House is requested. Which amendment is, to insert a provision, that

"No person shall be obliged to serve, as Overseer of the Poor, more than one year in seven."

The Bill, entitled, "*An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia, and its Neighborhood,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Dorsey and Mr. Hiester,

To postpone the further consideration of the section and Bill, for the present; which was agreed to.

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time, as reported by Select Committee, on the 25th of last month.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill, with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the Act of General Assembly, entitled, "*An Act allowing the Philadelphia Bank to establish Branches,*" and have directed the Secretary of the Commonwealth to return it to the House of Representatives, in which it originated.

SIMON SNYDER.

*Lancaster, March 3, 1809.*

On motion of Mr. Borrows and Mr. Irish,

The Senate resumed the consideration of the Bill, entitled, "*An Act granting an Annuity to Hugh Ross.*"

The consideration of section 1 recurring,

The Yeas and Nays, on agreeing thereto, were required by Mr. Roberts and Mr. Hiester; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Borrows,  
Brady,  
Campbell,  
Dorsey,  
Irish,  
Lacock,

YEAS.

Messrs. Laird,  
Mayer,  
Palmer,  
Slaymaker,  
Sommer. 11.

NAYS.

Messrs. Blocher,  
Doty,  
Erwin,  
Grefs,  
Heston,  
Hiefter,  
Lattimore,  
M'Arthur,  
Miller,

NAYS.

Messrs. Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Wayne,  
Weaver,  
Lane (*Speaker*). 17.

Eleven Yeas, seventeen Nays; by which it appeared, that the question was determined in the negative; and so the Bill was lost.

On motion of Mr. Weaver and Mr. Roberts,  
The Senate adjourned, till 3 o'clock in the afternoon.

SAME DAY.

The Bill, entitled, "*An Act concering Libels*," was read the second time, as reported by Committee of the Whole, on the 9th of last month, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Stevenson; and, on the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

NAYS.

Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

Section 2 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Wayne and Mr. Sommer; and, on the question being put, the Members voted as follow, viz.

YEAS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

YEAS.  
Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.  
Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

The title of the Bill having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act making perpetual an Act, entitled, "An Act to regulate the Payment of Costs on Indictments; and the second Section of the Act, entitled, "An Act explanatory of the Act, entitled, "An Act to regulate the Payment of Costs on Indictments;"*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.



The Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was read the second time, as reported by Select Committee, to whom it had been recommended.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

On motion of Mr. Wayne and Mr. Slaymaker,

The Senate proceeded to the further consideration of the amendments, by Senate, not concurred in by the House of Representatives, on the Bill, entitled,

*"An Act to authorize the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlborough-street and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid."*

Whereupon,

Mr. Wayne and Mr. Slaymaker required the Yeas and Nays, on receding from that amendment, which changes the mode of paying the expences, in laying out the said roads, from the State to the Treasuries of the several counties, through which the road passes; and, on the question being put, the Members voted as follow, *to wit:*

## YEAS.

Messrs. Campbell,  
Gress,  
Lacock,  
Mayer,  
Miller,

## NAYS.

Messrs. Blocher,  
Borrows,  
Erwin,  
Heston,

## YEAS.

Messrs. Mitchell,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne. 10.

## NAYS.

Messrs. Hiestler,  
Irish,  
Laird,  
M'Arthur,

NAYS.

Messrs. Rankin,  
 Roberts,  
 Stevenson,

NAYS.

Messrs. Udree,  
 Weaver,  
 Lane (*Speaker*). 14.

Ten Yeas, fourteen Nays; by which it appeared, that the question was determined in the negative.

The other amendments (merely verbal) were also insisted on.

*Ordered*, That the Clerk inform the House of Representatives, that Senate insist on their said amendments.

Adjourned, till 10 o'clock tomorrow morning.

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Saturday, March 4, 1809.

Mr. Borrows presented the petition of Joshua Williams, an inhabitant of the county of Centre, stating that he was a Captain of an independent company of foot, during the War with Greatbritain; that he believes there are some arrearages of pay and clothing due to him: He therefore prays relief. And the said petition was twice read, and referred to Mr. Borrows, Mr. Irish, and Mr. Stevenson, to consider and report thereon.

Mr. Miller presented the petition of the subscribers thereto, inhabitants of Adams county, praying that a State Road may be laid out and opened, from Harrisburg, by way of Gettysburg, towards the City of Washington. And the same was read, and  
 Laid upon the table.

Mr. Rahm, from the Committee appointed for that purpose, on the 2d of this month, reported the Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, beginning at or near Kelso's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington;*" which was read the first time.

The Bill, entitled, "*An Act concerning Libels,*" was read the third time.

Whereupon,

A motion was made, by Mr. Sommer and Mr. Wayne,

To postpone the further consideration of the said Bill, generally; which was not agreed to.

Thereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Sommer and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,

YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.

Messrs. Lattimore,  
Mayer,  
Miller,  
Sommer,  
Wayne,  
Lane (*Speaker*). 12.

Fifteen Yeas, twelve Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested. Which amendments are as follow, *viz.*

Strike out section 2, and number the remaining sections accordingly.

Section 3, now section 2, strike out these words:

“Except where such Libel has been published against any female or females, or against any deceased person or persons.”

Add to the section, these words:

“Provided that this Act shall be and continue in force, for the term of three years, and from

thence to the end of the next Session of the Legislature."

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Sommer and Mr. Wayne,

To amend the section, by adding to the end of line 9, the following :

"And afterwards, until it shall be otherwise directed by Law."

Referring to the tenure of Mr. Grout in the island. Which was agreed to.

A motion was made, by Mr. Roberts and Mr. Doty,

Further to amend the section, by striking out the proviso; which was agreed to, and the section, as amended, adopted.

Section 2 being under consideration,

A motion was made, by Mr. Lacock and Mr. Laird,

To amend the section, by striking out the provision which respects the right of soil; which was agreed to.

A motion was then made, by Mr. Roberts and Mr. M'Arthur,

Further to amend the section, by striking out the proviso; and required the Yeas and Nays thereon; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Dorsey,  
Heston,  
Hiefter,  
Irish,  
M'Arthur,  
Rahm,

NAYS.

Messrs. Blocher,  
Borrows,  
Brady,

YEAS.

Messrs. Roberts,  
Sommer,  
Stevenson,  
Udree,  
Lane (*Speaker*). 11.

NAYS.

Messrs. Campbell,  
Doty,  
Erwin,

## NAYS.

Messrs. Gress,  
Lacock,  
Laird,  
Lattimore,  
Mayer,

## NAYS.

Messrs. Mitchell,  
Rankin,  
Slaymaker,  
Wayne,  
Weaver. 16.

Eleven Yeas, sixteen Nays; by which it appeared, that the question was determined in the negative.

On motion of Mr. Lacock and Mr. Laird,

The proviso was amended, so as to read as follows, *viz.*

“That, in case any appropriation of ground shall take place, materially injurious to the improvements which may be absolutely necessary to the establishment of the Telegraph, on said island; then, and in that case only, such compensation, as the Legislature may deem reasonable, shall be made to the said Jonathan Grout, his heirs and assigns, as aforesaid, for such injury.”

The section, as amended, was adopted.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, three Bills, entitled, respectively, as follow, *to wit*:

1. *An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.*

2. *An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due to the Commonwealth.*

3. *An Act for the Relief of John M<sup>r</sup> Dowell.*

And he returned the Bill, entitled,

*An Act to regulate the Issuing of Patents, for Donation-lands.*

And informed, that the House of Representatives have passed said Bill, with an amendment; in which the concurrence of Senate is requested.

He also informed, that the House of Representatives have concurred in the amendment, by Senate, to the Bill, entitled,

Section 1 being under consideration,  
A motion was made, by Mr. Dorsey and Mr. Hiestler,

To postpone the further consideration of the section and Bill, for the present; which was agreed to.

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time, as reported by Select Committee, on the 25th of last month.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill, with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the Act of General Assembly, entitled, "*An Act allowing the Philadelphia Bank to establish Branches,*" and have directed the Secretary of the Commonwealth to return it to the House of Representatives, in which it originated.

SIMON SNYDER.

*Lancaster, March 3, 1809.*

On motion of Mr. Borrowes and Mr. Irish,

The Senate resumed the consideration of the Bill, entitled, "*An Act granting an Annuity to Hugh Ross.*"

The consideration of section 1 recurring,

The Yeas and Nays, on agreeing thereto, were required by Mr. Roberts and Mr. Hiestler; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Borrowes,  
Brady,  
Campbell,  
Dorsey,  
Irish,  
Lacock,

YEAS.

Messrs. Laird,  
Mayer,  
Palmer,  
Slaymaker,  
Sommer. 11.

NAYS.

Messrs. Blocher,  
Doty,  
Erwin,  
Grefs,  
Heston,  
Hiefter,  
Lattimore,  
M'Arthur,  
Miller,

NAYS.

Messrs. Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Wayne,  
Weaver,  
Lane (*Speaker*). 17.

Eleven Yeas, seventeen Nays; by which it appeared, that the question was determined in the negative; and so the Bill was lost.

On motion of Mr. Weaver and Mr. Roberts,  
The Senate adjourned, till 3 o'clock in the afternoon.

SAME DAY.

The Bill, entitled, "*An Act concerning Libels*," was read the second time, as reported by Committee of the Whole, on the 9th of last month, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Stevenson; and, on the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

NAYS.

Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

Section 2 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Wayne and Mr. Sommer; and, on the question being put, the Members voted as follow, viz.

YEAS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

YEAS.  
Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.  
Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

The title of the Bill having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act making perpetual an Act, entitled, "An Act to regulate the Payment of Costs on Indictments; and the second Section of the Act, entitled, "An Act explanatory of the Act, entitled, "An Act to regulate the Payment of Costs on Indictments;"*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.



The Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was read the second time, as reported by Select Committee, to whom it had been recommended.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

On motion of Mr. Wayne and Mr. Slaymaker,

The Senate proceeded to the further consideration of the amendments, by Senate, not concurred in by the House of Representatives, on the Bill, entitled,

*"An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlborough-street and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid."*

Whereupon,

Mr. Wayne and Mr. Slaymaker required the Yeas and Nays, on receding from that amendment, which changes the mode of paying the expences, in laying out the said roads, from the State to the Treasuries of the several counties, through which the road passes; and, on the question being put, the Members voted as follow, *to wit:*

YEAS.

Messrs. Campbell,  
Gress,  
Lacock,  
Mayer,  
Miller,

NAYS.

Messrs. Blocher,  
Borrows,  
Erwin,  
Heston,

YEAS.

Messrs. Mitchell,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne. 10.

NAYS.

Messrs. Hiester,  
Irish,  
Laird,  
M'Arthur,

NAYS.

Messrs. Rankin,  
 Roberts,  
 Stevenson,

NAYS.

Messrs. Udree,  
 Weaver,  
 Lane (*Speaker*). 14.

Ten Yeas, fourteen Nays; by which it appeared, that the question was determined in the negative.

The other amendments (merely verbal) were also insisted on.

*Ordered*, That the Clerk inform the House of Representatives, that Senate insist on their said amendments.

Adjourned, till 10 o'clock tomorrow morning.

—:•:•:•:•:—  
 Saturday, March 4, 1809.

Mr. Borrows presented the petition of Joshua Williams, an inhabitant of the county of Centre, stating that he was a Captain of an independent company of foot, during the War with Greatbritain; that he believes there are some arrearages of pay and clothing due to him: He therefore prays relief. And the said petition was twice read, and referred to Mr. Borrows, Mr. Irish, and Mr. Stevenson, to consider and report thereon.

Mr. Miller presented the petition of the subscribers thereto, inhabitants of Adams county, praying that a State Road may be laid out and opened, from Harrisburg, by way of Gettysburg, towards the City of Washington. And the same was read, and  
 Laid upon the table.

Mr. Rahm, from the Committee appointed for that purpose, on the 2d of this month, reported the Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, beginning at or near Kelfo's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington;*" which was read the first time.

The Bill, entitled, "*An Act concerning Libels,*" was read the third time.

Whereupon,

A motion was made, by Mr. Sommer and Mr. Wayne,

To postpone the further consideration of the said Bill, generally; which was not agreed to.

Thereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Sommer and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Gress,  
Heston,

YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.

Messrs. Lattimore,  
Mayer,  
Miller,  
Sommer,  
Wayne,  
Lane (*Speaker*). 12.

Fifteen Yeas, twelve Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested. Which amendments are as follow, *viz.*

Strike out section 2, and number the remaining sections accordingly.

Section 3, now section 2, strike out these words:

“Except where such Libel has been published against any female or females, or against any deceased person or persons.”

Add to the section, these words:

“Provided that this Act shall be and continue in force, for the term of three years, and from

thence to the end of the next Session of the Legislature."

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout*," was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Sommer and Mr. Wayne,

To amend the section, by adding to the end of line 9, the following :

"And afterwards, until it shall be otherwise directed by Law."

Referring to the tenure of Mr. Grout in the island. Which was agreed to.

A motion was made, by Mr. Roberts and Mr. Doty,

Further to amend the section, by striking out the proviso; which was agreed to, and the section, as amended, adopted.

Section 2 being under consideration,

A motion was made, by Mr. Lacock and Mr. Laird,

To amend the section, by striking out the provision which respects the right of soil; which was agreed to.

A motion was then made, by Mr. Roberts and Mr. M'Arthur,

Further to amend the section, by striking out the proviso; and required the Yeas and Nays thereon; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Dorsey,  
Heston,  
Hiefter,  
Irish,  
M'Arthur,  
Rahm,

NAYS.

Messrs. Blocher,  
Borrows,  
Brady,

YEAS.

Messrs. Roberts,  
Sommer,  
Stevenson,  
Udree,  
Lane (*Speaker*). 11.

NAYS.

Messrs. Campbell,  
Doty,  
Erwin,

## NAYS.

Messrs. Grefs,  
Lacock,  
Laird,  
Lattimore,  
Mayer,

## NAYS.

Messrs. Mitchell,  
Rankin,  
Slaymaker,  
Wayne,  
Weaver. 16.

Eleven Yeas, sixteen Nays; by which it appeared, that the question was determined in the negative.

On motion of Mr. Lacock and Mr. Laird,

The proviso was amended, so as to read as follows, *viz.*

“That, in case any appropriation of ground shall take place, materially injurious to the improvements which may be absolutely necessary to the establishment of the Telegraph, on said island; then, and in that case only, such compensation, as the Legislature may deem reasonable, shall be made to the said Jonathan Grout, his heirs and assigns, as aforesaid, for such injury.”

The section, as amended, was adopted.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, three Bills, entitled, respectively, as follow, *to wit*:

1. *An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.*

2. *An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due to the Commonwealth.*

3. *An Act for the Relief of John M'Dowell.*

And he returned the Bill, entitled,

*An Act to regulate the Issuing of Patents, for Donation-lands.*

And informed, that the House of Representatives have passed said Bill, with an amendment; in which the concurrence of Senate is requested.

He also informed, that the House of Representatives have concurred in the amendment, by Senate, to the Bill, entitled,

Section 1 being under consideration,

A motion was made, by Mr. Dorsey and Mr. Hiester,

To postpone the further consideration of the section and Bill, for the present; which was agreed to.

The Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" was read the second time, as reported by Select Committee, on the 25th of last month.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill, with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the Act of General Assembly, entitled, "*An Act allowing the Philadelphia Bank to establish Branches,*" and have directed the Secretary of the Commonwealth to return it to the House of Representatives, in which it originated.

SIMON SNYDER.

*Lancaster, March 3, 1809.*

On motion of Mr. Borrows and Mr. Irish,

The Senate resumed the consideration of the Bill, entitled, "*An Act granting an Annuity to Hugh Ross.*"

The consideration of section 1 recurring,

The Yeas and Nays, on agreeing thereto, were required by Mr. Roberts and Mr. Hiester; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Borrows,  
Brady,  
Campbell,  
Dorsey,  
Irish,  
Lacock,

YEAS.

Messrs. Laird,  
Mayer,  
Palmer,  
Slaymaker,  
Sommer. 11.

NAYS.

Messrs. Blocher,  
Doty,  
Erwin,  
Grefs,  
Heston,  
Hiefter,  
Lattimore,  
M'Arthur,  
Miller,

NAYS.

Messrs. Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Wayne,  
Weaver,  
Lane (*Speaker*). 17.

Eleven Yeas, seventeen Nays; by which it appeared, that the question was determined in the negative; and so the Bill was lost.

On motion of Mr. Weaver and Mr. Roberts,  
The Senate adjourned, till 3 o'clock in the afternoon.

SAME DAY.

The Bill, entitled, "*An Act concering Libels*," was read the second time, as reported by Committee of the Whole, on the 9th of last month, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Stevenson; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

YEAS.

Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

NAYS.

Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

Section 2 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Wayne and Mr. Sommer; and, on the question being put, the Members voted as follow, viz.

YEAS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Hiefter,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Gres,  
Heston,  
Lattimore,

YEAS.  
Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 15.

NAYS.  
Messrs. Mayer,  
Palmer,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

The title of the Bill having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Bill, entitled, "*An Act making perpetual an Act, entitled, "An Act to regulate the Payment of Costs on Indictments; and the second Section of the Act, entitled, "An Act explanatory of the Act, entitled, "An Act to regulate the Payment of Costs on Indictments;"*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.



The Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was read the second time, as reported by Select Committee, to whom it had been recommended.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

On motion of Mr. Wayne and Mr. Slaymaker,

The Senate proceeded to the further consideration of the amendments, by Senate, not concurred in by the House of Representatives, on the Bill, entitled,

*"An Act to authorize the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlborough-street and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid."*

Whereupon,

Mr. Wayne and Mr. Slaymaker required the Yeas and Nays, on receding from that amendment, which changes the mode of paying the expences, in laying out the said roads, from the State to the Treasuries of the several counties, through which the road passes; and, on the question being put, the Members voted as follow, *to wit:*

## YEAS.

Messrs. Campbell,  
Gress,  
Lacock,  
Mayer,  
Miller,

## NAYS.

Messrs. Blocher,  
Borrows,  
Erwin,  
Heston,

## YEAS.

Messrs. Mitchell,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne. 10.

## NAYS.

Messrs. Hiestler,  
Irish,  
Laird,  
M'Arthur,

tive; and, among other things, instructed their Delegates in Congress to represent to that honorable body, that they would consider any application of the money of this State, to the purpose aforesaid, as an high infringement on the honor and rights of the Commonwealth; and directed them to enter a protest against the same, in behalf of the State.

And further instructed them to inform Congress, that they will complain, in an especial manner, of those Delegations which shall concur in any vote for that purpose, to the several legislative Bodies from whom they respectively derive their powers: And that, under the authority of the State Laws, an order had been obtained, for distributing the three-fourths given by the verdict of a Jury, in the case of the sloop Active, to the Captains and Crews of the brigantine Convention and her Consort.

It will be necessary to observe here, by way of elucidation, that the distribution was, as the Committee is informed, per agreement of those concerned, after the Jury had decided on the facts. Gideon Olmstead and his Associates received one-fourth; the Masters and Mariners of the other vessels received, each one-fourth; and the State of Pennsylvania, as Owner of one of the vessels, received the remaining fourth of this distribution, in Loan-office Certificates.

From the constant opposition of the State, to the determination of Congress to enforce the decree of the Court of Appeals, and the notoriety of the facts, the Judges of the United States' Courts must have known, that the State was a party, and the real defendant, in the suit; and therefore should not have sustained the action. Their decision could not be satisfactory; for neither Judge Peters, nor Chief Justice *Marshall*, pretended to go into the merits of the case, to show the propriety of the reversal of the sentence of the Judge of the State Court of Admiralty.

It will not be necessary for the Committee, to show the impropriety of the reversal, to go into a full investigation of the facts, were they in possession of all the evidence relative thereto. Enough appears upon the record, to show that the case, brought before the

Court of Appeals, was not of that nature, as to require a decision, under the Laws and Usages of Nations: For the question was not prize, or no prize; which could only be decided according to the Law of Nations; and, as there might, some times, be error in the State Courts, there was a propriety in holding Appeals, on points of Law. Hence the necessity, for the sake of uniformity of decision, of an Appeal, in such cases and questions as come properly under the Law of Nations, to the Court of Appeals established by Congress. But, when the reason ceases on which the right is claimed, then the right (such as it is) ceases with it.

The question, in the present case, was a question of fact merely, whether the Master and Crew of the sloop *Active* had given up all resistance, when the *Constitution* and her *Confort* came up. This was a question of fact, that a Jury was most competent to decide; and, having decided this question, upon a full hearing of the evidence on the fact, their decision, by no principle of Law, could be re-examined or reversed; except on a new trial, and rehearing of the evidence by another Jury.

No pretence could be set up, by the Court of Appeals, on the ground of necessity, that the case required being decided according to the Usage of Nations; for there was no question of Law made. The only question was a question of fact, and the Jury had, and were the most competent to decide that question.

Having made this investigation, and exposition of facts, with the necessary deductions drawn therefrom, the Committee submit the following Resolutions:

*Resolved, by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, &c.* That, as a member of the Federal Union, the Legislature of Pennsylvania acknowledges the supremacy, and will cheerfully submit to the authority, of the General Government, as far as that authority is delegated by the Constitution of the United States. But, whilst they yield to this authority, when exercised within constitutional limits, they trust they will not be considered as acting hostile to the General Government, when, as Guar-

dians of the State Rights, they cannot permit an infringement of those rights, by an unconstitutional exercise of power in the United States' Courts.

*Resolved*, That, in a Government like that of the United States, where there are powers granted to the General Government, and rights reserved to the States, it is impossible, from the imperfection of language, so to define the limits of each, that difficulties should not sometimes arise, from a collision of powers: And it is to be lamented, that no provision is made, in the Constitution, for determining disputes between the General and State Governments, by an impartial tribunal, when such cases occur.

*Resolved*, That the republican principles of the State of Pennsylvania, and its attachment to the General Government, will not admit of a doubt, that, in resisting the process of the Marshal, in executing a writ from the Federal Court, the Legislature is seriously impressed with the insecurity of the State Rights, if the Courts of the United States are permitted to give unlimited extension to their power, in deciding on those Rights.

*Resolved*, That, from the construction the United States' Courts give to their powers, the harmony of the States, if they resist encroachments on their Rights, will frequently be interrupted: And if, to prevent this evil, they should, on all occasions, yield to stretches of power, the reserved rights of the States will depend on the arbitrary power of the Courts.

*Resolved*, That, should the independence of the States, as secured by the Constitution, be destroyed, the liberties of the People, in so extensive a Country, cannot long survive. To suffer the United States Courts to decide on State Rights, will, from a bias in favor of power, necessarily destroy the Federal Part of our Government: And, whenever the Government of the United States becomes consolidated, we may learn, from the history of Nations, what will be the event.

To prevent the balance, between the General and State Governments, from being destroyed, and the harmony of the State from being interrupted,

*Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure an amendment to the Constitution of the United States, that an impartial tribunal may be established, to determine disputes between the General and State Governments; and, that they be further instructed to use their endeavors, that, in the meanwhile, such arrangements may be made, between the Government of the Union and of this State, as will put an end to existing difficulties.

*Resolved*, That the Governor be requested to transmit a copy of these Resolutions, together with the foregoing statement, to the Executive of the United States, to be laid before Congress, at their next session: And that he be authorized and directed to correspond with the President, on the subject in controversy, and to agree to such arrangements as may be in the power of the Executive to make, or that Congress may make, either by the appointment of Commissioners or otherwise, for settling the difficulties between the two Governments.

The Bill, entitled, “*An Act granting certain Privileges to Jonathan Grout,*” was read the third time.

Whereupon,

A motion was made, by Mr. M’Arthur and Mr. Roberts,

To recommit the Bill to a Select Committee; which was not agreed to.

A motion was then made, by Mr. M’Arthur and Mr. Roberts,

To postpone the said Bill, generally; which was not agreed to.

A motion was then made, by Mr. Sommer and Mr. Roberts,

To postpone the said Bill, for the present; which was agreed to.

The Bill, entitled, “*An Act for the Relief of Alexander Russell,*” was read the second time, as reported by Committee of the Whole, on the 3d of this month, considered by section, and agreed to.

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the more effectual Organization of the Courts of Common Pleas*," was read the second time, as reported by Committee of the Whole, on the 28th of last month, and considered by section.

Section 1 was agreed to.

Section 2 being under consideration,

A motion was made, by Mr. Brady and Mr. Erwin,

To amend the section, by increasing the salary of the Associate Judges, from 140 to 200 dollars; which was not agreed to.

A motion was made, by Mr. Sommer and Mr. Brady,

To amend the section, by providing that the Associate Judge of Philadelphia county may receive the same salary as at present; which was agreed to.

A motion was then made, by Mr. Lacock and Mr. Laird,

Further to amend the section, by inserting a provision, directing that the two Judges shall preside alternately, in the Courts of their District; which was not agreed to.

A motion was made, by Mr. Wayne and Mr. Erwin,

To amend the section, by inserting a provision by which one additional Judge, in each District, may be appointed; who, with the President and Associate, shall form the Court; by which the present Presidents are proposed to be continued in office, without a re-appointment.

On which motion, the Yeas and Nays were required by Mr. Wayne and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Lattimore,

NAYS.

Messrs. Blocher,

YEAS.

Messrs. Mayer,  
Miller,  
Slaymaker,  
Wayne. 9.

NAYS.

Borrows,

## NAYS.

Messrs. Bright,  
Dorsey,  
Doty,  
Heston,  
Hiester,  
Irish,  
Lacock,  
Laird,  
M'Arthur,  
Mitchell,

## NAYS.

Messrs. Palmer,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenfon,  
Udree,  
Weaver,  
Lane (*Speaker*). 21.

Nine Yeas, twenty-one Nays; by which it appeared, that the question was determined in the negative.

A motion was made, by Mr. Wayne and Mr. Sommer,

To amend the section, by inserting the following, in line 13:

“Of competent legal knowledge;”

Referring to the appointment of the Judges; which was not agreed to.

A motion was then made, by Mr. Roberts and Mr. Doty,

To amend the section, by inserting a provision, requiring the Judges of each district to reside in different counties of the district; which was agreed to.

The section, as amended, was adopted.

Section 3 was adopted.

A motion was made, by Mr. Wayne and Mr. Mayer,

That the following be inserted, and called section 4:

“*And be it further enacted, by the authority aforesaid, That if either of the parties, in any suit depending in the Court of Common Pleas, in which the matters in controversy shall exceed                      dollars, shall be dissatisfied with the decision of the said Court, on any demurrer, special verdict, case stated, point reserved for the consideration of the Court, on the trial, or to set aside a judgment, discontinuance, or non-pros; or to be let into a defence against a judgment entered by warrant of Attorney, the judgment remaining as a*

security for whatever may be found due; or to appropriate money, arising under sales made by the Sheriff; or to dissolve a foreign attachment, or to inquire into the cause of action therein; or, if any of the parties interested shall be dissatisfied with any final decision of the Orphan's Court, or Register's Court; in all or any of the cases aforesaid, he, she, or they shall have a right to appeal, from the said decision, to the next Supreme Court of the district in which the Court, from which the said appeal is taken, may be, if the said decision be given                      days before the first day of the said Supreme Court; or, if not, then to the next Supreme Court of the said district. For the purpose of the said appeal, it shall be the duty of the Judges, whose decision is so appealed from, to state the case, and file the same, with their opinion thereon, in the said cause.

“ And if the party so appealing do not procure a record of the proceedings in the cause, from the Clerk of the Court from which the appeal is made, whose duty it shall be to furnish the same, on application therefor, and file the same in the Court to which the said appeal is made, on or before the first day of the term of the said Court, and accompanied with a written statement of the reasons for the said appeal, signed by the Appellant himself, in case he conducts the cause without Counsel, or by his Counsel, if any be by him employed; certifying his belief, that they are, in point of Law, sufficient to obtain a decision in favor of the Appellant, and that the appeal is not made for delay; the said appeal shall stand dismissed; and the Court, from which the same was taken, shall proceed as if the said appeal had not been taken, and as to Law and justice shall appertain.

“ And in case the said appeal be duly filed, as aforesaid, in the Supreme Court, the Judges thereof shall hear and determine the same, according to Law; and their decision thereon cause to be entered of record in the cause, and to be duly certified and remitted, with the whole of the record, to the Court wherein the said appeal was taken, on payment of the fees incurred in the said Supreme Court; which deci-



sion of the Supreme Court shall be carried into full effect, by the Court to which the record is remitted, as aforesaid."

Which was not agreed to.

Section 4, in the printed Bill, being under consideration,

A motion was made, by Mr. Wayne and Mr. Miller,

To amend the section, by adding thereto a proviso, limiting the operation of the Act to five years; which was not agreed to.

The preamble and title were severally adopted.

Whereupon,

The Yeas and Nays on the question, Shall this Bill be prepared for the third reading? were required by Mr. Heston and Mr. Lacock; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Hielster,  
Irish,  
Lacock,  
Laird,

## NAYS.

Messrs. Brady,  
Erwin,  
Gress,  
Heston,  
Lattimore,  
Mayer,

## YEAS.

Messrs. M'Arthur,  
Mitchell,  
Palmer,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree, 18.

## NAYS.

Messrs. Miller,  
Slaymaker,  
Wayne,  
Weaver,  
Lane (*Speaker*). 11.

Eighteen Yeas, eleven Nays; by which it appeared, that the question was determined in the affirmative.

The Clerk of the House of Representatives presented, for signature, the Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for the Relief of the Poor.'*"

Whereupon,

The Speaker signed the said Bill,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act to authorize the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water,*" was postponed, for the present.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I herewith transmit to the Legislature a copy of a Resolution, of the Legislature of the State of Massachusetts, disapproving of an amendment to the Constitution of the United States, proposed by the Legislature of Virginia. A copy of Lieutenant-governor Lincoln's letter is also annexed.

SIMON SNYDER.

*Lancaster, March 6, 1809.*

COMMONWEALTH OF MASSACHUSETTS.

*Council Chamber, Boston, Feb. 22, 1809.*

SIR,

Agreeably to the request of the Legislature of this Commonwealth, I transmit to you their Resolution, disapproving the amendment to the Constitution of the United States, proposed by the State of Virginia, on the 13th of January, 1808.

LEVI LINCOLN.

*His Excellency the Governor  
of Pennsylvania.*

COMMONWEALTH OF MASSACHUSETTS.

*In Senate. Feb. 18, 1809.*

*Resolved,* That the alteration proposed to the Constitution of the United States, by a Resolution of the General Assembly of the State of Virginia, on the 13th day of January, in the year of our Lord one thousand eight hundred and eight, so as "That the Senators, in the Congress of the United States may be removed, from office, by the vote of a majority of the whole number of the Members of the respective State Legislatures, by which the said Senators have been or may be appointed;" be, and the same is hereby, disapproved by

the Legislature of this Commonwealth; and that the Senators from this Commonwealth, in the Congress of the United States, be instructed, and the Representatives be requested; to oppose the said alteration.

*Resolved*, That his Honor, the Lieutenant-governor, be requested to transmit a copy of the foregoing Resolution to each of the Senators and Representatives, in Congress, from this Commonwealth, and to the Executive of each State.

Sent down, for concurrence.

H. G. OTIS, *President*.

*In the House of Representatives.*

Feb. 20, 1809.

Read and concurred.

TIMOTHY BIGELOW, *Speaker*.

Approved, Feb. 22, 1809.

LEVI LINCOLN.

*Secretary's Office, Feb. 22, 1809.*

A TRUE COPY.

Attest.

WM. TUDOR, *Sec'y of the Commonwealth*.

On motion of Mr. Roberts and Mr. Lacock,

The Senate adjourned, till 3 o'clock in the afternoon.

### SAME DAY.

The Bill, entitled, "*An Act to incorporate the Farmers' and Mechanics' Bank*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived.

The Bill, entitled, "*An Act to incorporate a Company, in the City of Philadelphia, for the Purpose of manufacturing Colors and Paints*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with the first section negatived.

On motion of Mr. Lacock and Mr. Roberts,

The report of the Committee of the Whole, on the said Bill, was again read, considered, and adopted; and so the Bill was lost.

Adjourned, till 10 o'clock tomorrow morning.



Tuesday, March 7, 1809.

Mr. Erwin presented the petition of the subscribers thereto, praying for an Act incorporating a company, for the purpose of building a bridge over the river Delaware, at or near Mitchell's Ferry. And the said petition was twice read, and referred to Mr. Erwin, Mr. Brady, and Mr. Miller, to consider and report thereon, by Bill or otherwise.

Mr. Laird, from the Committee to whom was referred, on the 13th of January, the petition of the subscribers thereto, the President and Judges of the Courts of Common Pleas, Grand Jury, Commissioners, and inhabitants of the county of Northumberland, made report; which was read as follows, *to wit*:

“That the Committee have had the same under consideration, and are of opinion, that the mode of making and keeping in repair the public roads and highways within this Commonwealth, as suggested by the petitioners, would be a considerable improvement on the present plan: But, from a consideration of the scarcity of money, they conceive it might, at this time, operate oppressively on the citizens; especially on those who live in the interior part of the State. From these considerations, the Committee are induced to offer the following Resolution, *to wit*:

“*Resolved*, That the petition be recommended to the early attention of the next Legislature.”

On motion, and by special order,

The said report was again read, and the Resolution attached thereto adopted.

The Bill, entitled, "*A further Supplement to an Act to alter the Judiciary System of this Commonwealth,*" was read the third time.

Whereupon,

A motion was made, by Mr. Brady and Mr. Miller, To postpone the further consideration thereof, for the present; which was not agreed to.

Thereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Wayne and Mr. Lacock; and, on the question being put, the Members voted as follow, *viz.*

## YEAS.

Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Erwin,  
Hiester,  
Lacock,  
Laird,

## NAYS.

Messrs. Brady,  
Campbell,  
Gress,  
Heston,  
Irish,  
Mayer,

## YEAS.

Messrs. Lattimore,  
M'Arthur,  
Mitchell,  
Palmer,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 18.

## NAYS.

Messrs. Miller,  
Rahm,  
Slyamaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 12.

Eighteen Yeas, twelve Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That said Bill be returned to the House of Representatives, with information that Senate have passed the same, without amendment.

The Bill, entitled, "*An Act for the more effectual Establishment of the Courts of Common Pleas,*" was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Wayne and Mr. Sommer; and, on the question being put, the Members voted as follow, *to wit:*

YEAS.  
Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Hiester,  
Irish,

NAYS.  
Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Lattimore,  
Mayer,  
Miller,  
Rahm,

YEAS.  
Messrs. Lacock,  
Laird,  
M'Arthur,  
Mitchell,  
Palmer,  
Udree. 13.

NAYS.  
Messrs. Rankin,  
Roberts,  
Slaymaker,  
Sommer,  
Stevenson,  
Wayne,  
Weaver,  
Lane (*Speaker*). 17.

Thirteen Yeas, seventeen Nays; by which it appeared, that the question was determined in the affirmative; and so the Bill was lost.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act providing for the Removal of the Seat of Justice, in the County of Bucks, from Newtown to a more central Place, and for other Purposes.*

Which was read the first time.

On motion of Mr. Wayne and Mr. Weaver,  
The Senate adjourned, till 3 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

The Bill, entitled, "*An Act for the Relief of Alexander Russell,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act to incorporate the Farmers' and Mechanics' Bank,*" read yesterday, was again read.

Whereupon,

On the question, Will Senate adopt the report of the Committee of the Whole, on the said Bill? being put, was determined in the negative.

And, the said Bill recurring,

A motion was made, by Mr. Roberts and Mr. Doty,

To recommit the Bill to the Committee of the Whole; which was agreed to.

Thereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, with amendments; which were read as reported.

Adjourned, till 10 o'clock tomorrow morning.



Wednesday, March 8, 1809.

Mr. Wayne presented the petition of the subscribers thereto, inhabitants of Chester county, praying that the said county may be included in the Bill, now before the Senate, to prevent the killing or destroying Rabbits, Pheasants, and Partridges, out of season. And the said petition was twice read, and referred to the Committee of the Whole, when the said Bill shall be under consideration by that Committee.

Mr. Erwin, from the Committee to whom was, yesterday, referred the petition of the subscribers thereto, inhabitants of Bucks county, on leave now given, reported the Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Mitchell's Ferry, in Bucks county;*" which was read the first time.

The Bill, entitled, "*An Act to incorporate the Farmers' and Mechancis' Bank,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by inserting in line 13, between the words, "elsewhere to," the following:

"And to purchase, have, hold, receive, possess, enjoy, and retain, to them and their successors, lands, tenements, hereditaments, rents, goods, chattels, and effects, of whatsoever kind, nature, or quality, to an amount not exceeding, in the whole, 1,250,000 dollars, including the capital stock of said company, except such as may be held by said company, in security for debts; and the same, from time to time, sell, grant, demise, alien, or dispose of."

Mr. Roberts and Mr. Lacock required the Yeas and Nays on the motion; and, on the question being put, the Members voted as follow, *viz.*

## YEAS.

Messrs. Blocher,  
Borrows,  
Bright,  
Doty,  
Hiester,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

## NAYS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,

## YEAS.

Messrs. Mitchell,  
Palmer,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 18.

## NAYS.

Messrs. Lattimore,  
Miller,  
Slaymaker,  
Sommer,  
Wayne. 11.

Eighteen Yeas, eleven Nays; by which it appeared, that the question was determined in the affirmative.

A motion was then made, by Mr. Roberts and Mr. Doty,

Further to amend the section, by striking from the end thereof, the amendment made in Committee of the Whole; which was agreed to.

Whereupon,



The Yeas and Nays, on agreeing to the section, as amended, were required by Mr. Lacock and Mr. Roberts; and on the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Borrows,  
Brady,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,

NAYS.

Messrs. Blocher,  
Doty,  
Lacock,  
Laird,  
Mayer,  
M'Arthur,  
Mitchell,

YEAS.

Messrs. Hiester,  
Irish,  
Lattimore,  
Miller,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne. 16.

NAYS.

Messrs. Palmer,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 14.

Sixteen Yeas, fourteen Nays; by which it appeared, that the question was determined in the affirmative, and the section adopted.

Section 2 was adopted.

Section 3 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the section, by reducing the capital of the said Bank, from 1,250,000 dollars, to 850,000 dollars; which was not agreed to.

The section was adopted.

Section 4, containing the articles of association, being under consideration,

It was agreed to consider the said articles separately.

Article 1 was adopted.

Article 2 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the Article, by inserting the following, in line 24, between the words "President in," *to wit*:

“ And the President, chosen as aforesaid, shall not, directly or indirectly, be concerned in the purchase or sale of any of the public stocks or funds, under the penalty of 10,000 dollars, to be forfeited, one-half to the Commonwealth, and the other half to the use of the informer.”

Which was not agreed to.

The article was adopted.

Articles 3 to 13, inclusive, were severally adopted.

Article 14 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the same, by striking out of line 1 the words, “ or discounts ;” which was agreed to.

A motion was then made, by Mr. Roberts and Mr. Doty,

Further to amend the article, by inserting, at the end thereof, the words, “ at six per cent per annum ;” and required the Yeas and Nays, on the motion.

Thereupon,

The question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Erwin,  
Gress,  
Hiester,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Brady,  
Campbell,  
Heston,  
Lattimore,

YEAS.  
Messrs. Mayer,  
M'Arthur,  
Mitchell,  
Palmer,  
Rahm,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Wayne,  
Lane (*Speaker*). 22.

NAYS.  
Messrs. Miller,  
Slaymaker,  
Sommer,  
Wayne. 8.

Twenty-two Yeas, eight Nays ; by which it appeared, that the question was determined in the affirmative.

A motion was made, by Mr. Laird and Mr. Lacock,

Further to amend the article, by striking the word, "satisfactory," from line 3; and inserting, in place thereof, "sufficient;" which was agreed to.

A motion was then made, by Mr. Laird and Mr. Lacock,

Further to amend the article, by inserting the following, at the end thereof:

"And a certificate from the Prothonotary or Recorder of the county where the land lies, which may be offered for security, that there is no lien thereon, either by judgement or mortgage, shall be taken as security for any sum of money, not exceeding the one-fourth part of the valuation thereof."

On which motion, Mr. Laird and Mr. Lacock required the Yeas and Nays.

Whereupon,

On the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Blocher,  
Doty,  
Lacock,  
Laird,  
M'Arthur,

NAYS.  
Messrs. Borrows,  
Brady,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Hiester,  
Irish,

YEAS.  
Messrs. Mitchell,  
Rankin,  
Roberts,  
Stevenson,  
Weaver. 10.

NAYS.  
Messrs. Lattimore,  
Mayer,  
Miller,  
Palmer,  
Rahm,  
Slaymaker,  
Sommer,  
Udree,  
Wayne,  
Lane (*Speaker*). 20.

Ten Yeas, twenty Nays; by which it appeared, that the question was determined in the negative.

The article, as amended, was adopted.

The remaining articles were severally adopted; and so the section, containing the articles of association, was agreed to.

Section 5 was postponed, for the present.

Sections 6 and 7 were severally adopted.

Section 8 being under consideration,

A motion was made, by Mr. Lacock and Mr. Laird,

To amend the section, by limiting the duration of the charter to the 1st of May, 1824, instead of the 4th of March, 1829; and required the Yeas and Nays on the motion.

Whereupon,

On the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Borrows,  
Bright,  
Doty,  
Hielster,  
Irish,  
Lacock,  
Laird,  
M'Arthur,

NAYS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Gress,  
Heston,  
Lattimore,

YEAS.  
Messrs. Mitchell,  
Palmer,  
Rankin,  
Roberts,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 17.

NAYS.  
Messrs. Mayer,  
Miller,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne. 13.

Seventeen Yeas, thirteen Nays; by which it appeared, that the question was determined in the affirmative.

The section, as amended, was adopted.

The remaining sections were also agreed to.

The consideration of section 5 recurring,

A motion was made, by Mr. Lacock and Mr. Laird,

To amend the section, by reducing the amount to be passed to the credit of the State, in the said Bank, from 100,000 to 75,000 dollars; which was agreed to, and the section, as amended, was adopted.

The title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act concerning Sentences of foreign Prize Courts*," was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives returned the Bill, entitled,

*An Act to empower Anthony Beelen, Alexander M'-Laughlin, and Zachariah A. Fannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter-lot of Ground, in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned.*

And informed, that the House of Representatives had passed the same, without amendment.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County*;" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacock in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock tomorrow morning.

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Thursday, March 9, 1809.

The Speaker laid before the Senate, the report of the accounts of the President and Directors of the Chesnuthill and Springhouse Turnpike Company; by

which it appears, that the amount of capital stock, expended on the road, is 70,000 dollars.

Amount of tolls received for the last year, D. C.  
ending Nov. 7, 1808, 5339 36

Expended in repairs and other contingencies, including fundry accounts unsettled, at the time of making last report to the Legislature, 2116

Paid Gatekeepers', and Treasurer's salary, 760

—2876

Balance, being nett profits, 2463 36

Mr. Lacock presented the memorial of Daniel Brodhead, jun. stating that, in the year 1797, he purchased Soldiers' claims to 42 tracts of Donation-land; that, in consequence of an opinion of the Attorney-general (Ingersol) grounded upon a communication from the War Department of the United States, the patents were not issued; that, at the time of purchasing these rights, the Laws authorised the transfer of the land, and the issuing of patents, to fair purchasers; that he continues to be deprived of those patents; and therefore prays relief. And the said memorial was twice read, and referred to Mr. Lacock, Mr. Erwin, and Mr. Roberts, to consider and report thereon.

Mr. Dorsey presented the memorial of the Minister, Wardens, and Vestrymen of the African Episcopal Church, of St. Thomas, in the city of Philadelphia, praying that certain persons, therein named, may be appointed Commissioners to carry into effect an Act of the General Assembly, authorising the said Church to raise, by way of Lottery, a certain sum of money, in place of those persons named in the said Law, who have declined acting further. And the said memorial was read, and

Laid upon the table.

Mr. Roberts, from the Committee to whom was referred, on the 16th of last month, the petition of the subscribers thereto, Settlers in the township of Bedford, in the county of Luzerne, and of Ulster and Athens (lately in Luzerne county) of the county of Lycoming,

and the pétition of the subscribers thereto, inhabitants of Luzerne and part of Lycoming county, in recommendation of the object of the foregoing petition; made report, which was read as follows, *to wit*:

“ The petition states that the township of Bedford was granted, by a Committee under the Susquehanna Company, on the 25th of May, 1774, to persons not settled within the bounds of the said township; that it was actually surveyed, but not settled, at that time.

“ The petition further states, that the township of Ulster was granted in the Spring of 1775; and that the township of Athens was granted on the 9th day of May, 1786. In order to make room for Athens, between Ulster and the State line, the proprietors of the latter agreed to alter their bounds, and the township of Ulster was in consequence thereof regranted 21st July, 1786.

“ The petitioners state Ulster to have been settled within two years after the close of the revolutionary War; Athens, in 1784 and 1785; that the original Grantees of said townships were mostly Actual Settlers, prior to the Trenton Decree, and shared in the calamities of an Indian War.

“ They further state, that a very small part of said townships can be rated in the first or second class; and by far the greater part in the fourth; that the townships of Bedford and Ulster were included, in the purview of the Law of 1799; but that the Commissioners thought proper to omit said townships, and to carry the Law into effect in the fifteen townships only. That, in addition to the Settlers quieted under the Law of 1799, compromises are daily taking place, between the Pennsylvania Claimants and Settlers on the lands back of the river townships. That, by an extension of the provisions of the Act of 1799, and its Supplements, a controversy of 40 years duration might be closed, and the Settlers be privileged to sit under their own Vines and Figtrees, without fear.

“ The petitioners ask to be admitted to the privilege of the Act of 4th April, 1799, offering compensation to the Pennsylvania Claimants to certain lands in the seventeen townships, in the county of Luzerne; and

assign the above as reasons that will justify the measure.

“ From an examination of the Law aforesaid, and its Supplements, the Committee do not find any recognition of right, in the Connecticut Settlers in the townships aforesaid. After the jurisdiction and preemption had been settled, to the satisfaction of the contending States, to be in Pennsylvania, it became right and proper for her to suppress resistance to her Laws, either by force or by any other means she chose. Whatever has been done, under the Act of 1799, and its Supplements, must be taken only as an evidence of a benevolent and indulgent spirit, in the Legislature.

“ That Act allowed the Commissioners ‘ to ascertain all rights or lots, in the seventeen townships, which were occupied or acquired by Connecticut Claimants, who were actually settled there, at or before the Decree of Trenton; and which right, or lots were particularly assigned to the said Settlers, prior to the said Decree.’ The several supplementary Acts, with the exception of that of 9th of April, 1807, held out nothing that could be taken in any wise to dispense with this condition,

“ The Supplement aforesaid was passed under an idea, that not above 1500 or 2000 acres could be embraced by its provisions; and that the Settlers, to be benefited thereby, had only failed to show title, as required by the Act of 1799, on account of the destruction of their records, by the ravages of war.

“ The effect of that Law is now known: 59,000 acres have been confirmed under it. The Legislature, on discovering the effect, repealed it, and thereby solemnly declared the provisions thereof to be wrong.

“ The Committee believe it unnecessary to reply, in detail, to the reasons of the petition and recommendations, as they are palpably inconclusive.

“ The townships aforesaid are not pretended to have been granted to persons resident in them, till long after the Decree of Trenton; and two of them were not even granted, for near four years after this Decree. The attempt to grant townships, in defiance of the laws of the State, after the right of ju-



jurisdiction and preemption had been solemnly. Decreed to be in her, by a competent tribunal, was so great a violation of every principle of right, that the Committee are of opinion that the Legislature cannot listen to a proposal to confirm the lands in question, to these less than pretended Grantees, without seriously injuring the best interests of the Commonwealth: Therefore,

“*Resolved*, That the said petitions be discharged.”

Ordered to lie upon the table.

Mr. Wayne, from the Committee to whom was referred, on the 3d of this month, the petitions of the subscribers thereto, inhabitants of the counties of Delaware and Montgomery, on leave now given, reported the Bill, entitled, “*An Additional Supplement to the Act, entitled, “An Act to empower the Wardens of the City of Philadelphia to extend the Markethouse, in Highstreet, from Thirdstreet to Fourthstreet, from Delaware River, and continue the same, from Time to Time, Westward, from one Street to another, in the Middle of Highstreet, as the Wardens of the said City shall think necessary; and for other Purposes therein mentioned;”*” which was read the first time.

Mr. Borrows, from the Committee to whom was referred, on the 4th of this month, the petition of Joshua Williams, made report; which was read as follows, *to wit*:

That the Committee have carefully examined the claim of the petitioner, and find that he received a Commission, to continue during the War with Great-britain; and that he continued in actual service about a year and a half: At the end of which time he was sent on the-recruiting service, and got sick; but returned to join his respective regiment, in the Autumn of the same season, at the White Plains.

But the regiment having previously marched thence to Fort Stanwix, in the State of Newyork, he inquired of General Wayne, commander of the Brigade to which he then belonged, if he should follow them: To which the General replied No. But sent him on a tour to apprehend some Deserters, in a neighborhood where they were suspected to be harbored; and to con-

sider himself bound to come forward, when called upon. But says he never was called on ; but considered himself bound, by the commission he held, to be subject to the disposal or call of his superior Officers.

It appears on the books, in the Comptroller's office, that he has received his arrearage of pay, and the depreciation in full : But it doth not appear, by the said books, that he has ever received any compensation for clothing, as provided by Law ; neither doth any charge appear on the books aforesaid, against the petitioner, for clothing received. But so great a length of time having elapsed, since the petitioner had it in his power to make his claim, and not having done so, induces the Committee to be silent on that subject. But as it appears, by the tenor of the Commission that the petitioner held, that he is entitled to a tract of Donation-land, and that he never has obtained one ; the Committee therefore submit the following Resolution :

*Resolved*, That a Committee be appointed to bring in a Bill, granting a tract of Donation-land to the petitioner.

On motion, and by special order,

The said report was again read, considered, and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the said Resolution.

Mr. Dorsey, from the Committee to whom was referred, on the 13th of December, the petition of John Cornman, Keeper of the Debtors' Prison in Philadelphia, on leave now given, reported the Bill, entitled, "*An Act for the Relief of the Keeper of the Debtors' Prison*;" which was read the first time.

Mr. Irish, from the Committee to whom was referred, on the 3d of this month, the petition of William Tegarden, made report, which was read as follows, *to wit*:

That the Committee have examined the case of the petitioner, and are of opinion that the prayer of the petitioner ought to be granted: They therefore submit the following Resolution, *viz.*

*Resolved*, That a Committee be appointed to bring in a Bill, conformably to the prayer of the petitioner.

On motion, and by special order,

The said report was again read, and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the said Resolution.

The Bill, entitled, "*An Act to incorporate the Farmers' and Mechanics' Bank*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, with amendments; in which the concurrence of that House is requested. Which amendments, are:

Section 1. Insert, in line 13, a provision,

"That the corporation may purchase and hold lands, tenements, &c. to an amount not exceeding 1,250,000 dollars, including their capital stock; except such as may be held in security for debts; and the same to sell, grant, &c."

Add, to section 2, a proviso, that nothing in the Act contained shall be taken to impair any contract heretofore entered into by the company.

Add, to section 3, a provision, that the price of shares, hereafter sold, shall be paid for in gold, silver, or bank notes.

In section 4, article 1, insert, "the Bank shall be kept in the city of Philadelphia, except in cases of contagion, or invasion of an enemy."

In article 5, insert a proviso, that the Cashier shall give bond, in the sum of 40,000 dollars, and not be engaged in any other business than that of the Bank.

Introduce 2 new articles, to be numbered 6 and 7, and number the remaining articles accordingly, *viz.*

Article 6 limits the debts of the corporation, at any one time, to double the amount of their capital; and provides that, in case of excess, the Directors con-

sending thereto shall be liable in their individual capacities, &c.

Article 7 provides, that no Director shall receive any emolument for his services, unless allowed by the Stockholders, at a general meeting.

The Stockholders are also to fix the compensation to be paid the President.

Add, to article 12, a proviso, that the stock of the company shall not be sold to any but citizens, corporations erected under the Laws of the United States, or one of them, or foreigners who have declared their intention to become citizens.

Article 14, line 1, strike out the words, "or discounts." After the word, "loans," line 3, strike out, "satisfactory;" and insert, "sufficient." And, after the end of the article, insert, "at six per cent per annum."

Article 16, strike out, from the word, "possessed," in line 22, to the end of the article; and insert a provision, prohibiting the corporation from dealing in any of the public stocks, except their own bank stock, or stock of incorporated companies, for the improvement of roads, or internal navigation, and that, to a limited amount, in bills of exchange, gold and silver bullion, or sale of goods pledged and not redeemed, or the produce of its lands.

In section 5, reduce the sum to be paid to the State, from 100,000 dollars to 75,000 dollars, equal to 1500 shares in said Bank.

In section 8, limit the duration of the charter, to the year 1824, instead of 1829.

Strike out the preamble.

The remaining amendments are merely verbal.

The Bill, entitled, "*An Act concerning Sentences of foreign Prize Courts,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, for the Purpose of making an*

*Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Bucks County;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title of the Bill having been agreed to,

*Ordered*, That it be prepared for the third reading.

The Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice,'*" was read the second time; as reported by Committee of the Whole, on the 28th of February, and considered by section.

Sections 1 and 2 were severally agreed to.

Section 3 being under consideration,

A motion was made, by Mr. Lacock and Mr. Weaver,

To amend the section, by inserting the following, in line 3, between the words, "Arbitrators it," viz.

"Proof being made, on oath or affirmation, that notice had been given to such party, agreeably to the provisions contained in the first section of this Act."

Which was agreed to, and the section, as amended, adopted.

Sections 4 to 11, inclusive, were severally adopted.

Section 12 being under consideration,

A motion was made, by Mr. Doty and Mr. Erwin,

To amend the section, by striking out the following, from lines 10, 11, 12:

"And one dollar per day, for each and every day that the defendant shall necessarily lose, in attending on such appeal, and daily pay."

Which was not agreed to.

Whereupon,

The Yeas and Nays, on adopting the section, were required by Mr. Brady and Mr. Erwin; and, on the question being put, the Members voted as follow, to wit:

YEAS.  
Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Hielster,  
Irish,  
Lacock,  
Laird,  
Lattimore,

NAYS.  
Messrs. Brady,  
Campbell,  
Erwin,  
Heston,  
Mayer,

YEAS.  
Messrs. M'Arthur,  
Mitchell,  
Palmer,  
Rahm,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver. 19.

NAYS.  
Messrs. Miller,  
Slaymaker,  
Wayne,  
Lane (*Speaker*). 9.

Nineteen Yeas, nine Nays; by which it appeared, that the question was determined in the affirmative.

Sections 13, 14, 15, 16, and 17 were severally adopted.

Section 18 being under consideration,

A motion was made, by Mr. Lacock and Mr. Mitchell,

To amend the section, by striking the word, "two," from line 6; and inserting, "three," in place thereof; referring to the penalty on the Arbitrators, for neglect or refusal to attend; which was not agreed to.

The section was adopted.

On motion of Mr. Lacock and Mr. Roberts,

The following was adopted, as a new section, *viz.*

Section 19. *And be it further enacted, by the authority aforesaid, That the Act to which this is a Supplement, and an Act supplementary thereto, passed on the 28th day of March, 1808, be, and they hereby are, rendered perpetual; any thing contained in the said Acts, to the contrary, notwithstanding.*

The remaining section, and the title, having been agreed to,

*Ordered, That the said Bill be prepared for the third reading.*

The Clerk of the House of Representatives returned the Bill, entitled,

*An Act to repeal so much of an Act, passed April fourth, one thousand eight hundred and seven, as directs the Township Assessors to select and return Jurors; and also to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors.*

And informed, that the House of Representatives had passed the said Bill, with amendments; in which the concurrence of Senate is requested.

And he presented, for signature, three Bills, entitled, respectively, as follow, to wit:

1. *An Act to regulate the issuing of Patents, for Donation-land.*

2. *A further Supplement to an Act, entitled, "An Act to alter the Judiciary System of this Commonwealth."*

3. *An Act to empower Anthony Beelen, Alexander M'-Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter-lot of Ground in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned.*

Whereupon,

The Speaker signed the said Bills.

The amendments, by the House of Representatives, to the Bill, entitled, "*An Act to repeal so much of an Act, passed April fourth, one thousand eight hundred and seven, as directs the Township Assessors to select and return Jurors; and also to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors; were read as follow, viz.*

Section 1, line 6, between the words, "the township," insert, "ward, district, and."

Line 8, strike out the words, "so much of."

Strike out all that follows the word, "recited," in same line, to the word, "is," in line 10.

Strike from the title, all that follows the word, "also," and insert, in lieu thereof, the following:

"Allowing peremptory Challenges, in certain Cases."

The Bill, entitled, "*An Act for preserving the Race of Muskrats and Beavers, and thereby save a Source of Furs, for Home Manufactures,*" was read the second time, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Wayne and Mr. Roberts,

To refer the said Bill to a select Committee; which was agreed to.

Ordered, That Mr. M'Arthur, Mr. Wayne, and Mr. Doty be the Committee.

The Bill, entitled, "*An Act to enable the Commissioners, of Mercer County, to finish the Public Buildings, for said County, by a Loan from the State,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill, without amendment.

Adjourned, till 10 o'clock tomorrow morning.

—:o:\*:o:—

Friday, March 10, 1809.

Mr. Weaver presented the petition of Lucy Lot, Wife of Richard Lot, of Fayette county, praying for an Act divorcing her from her Husband; and the said petition was twice read, and referred to Mr. Weaver, Mr. Miller, and Mr. Campbell, to consider and report thereon, by Bill or otherwise.

Mr. Wayne presented the petition of the heirs of Adam Rickabach, deceased, late of the township of Tredyffrin, in the county of Chester, stating that the said Rickabach became legally possessed, by purchase from the Commonwealth, of a tract of land, situate on the North Valley mountain, in the county of Chester. That, some time after the said purchase, he was served with a writ of ejectment, by the Attorney of John



Penn and Richard Penn; and, as he was advised of the priority and validity of the Proprietary claim, he deemed it most prudent to acknowledge their right, by paying them, and taking their deed, for the said land: The heirs therefore pray the Legislature to direct, by Law, the return of the purchase-money, paid by the said Rickabach, into the Receiver-general's Office. And the said petition was twice read, and referred to Mr. Wayne, Mr. Lacock, and Mr. Roberts, to consider and report thereon.

Mr. M'Arthur presented a number of petitions, of similar purport, from the subscribers thereto, inhabitants of that part of the State lying North and West of of the rivers Ohio, Allegheny, and Conewango creek, praying that the Legislature will take effectual measures to bring the long-delayed contest, between the Warrantees and Actual Settlers, to a close; and the said petitions were severally read, and

Laid upon the table.

Mr. Udree presented three petitions, of similar purport, from the subscribers thereto, inhabitants of the counties of Northampton and Berks, praying that the time limited by Law, for patenting lands, may be extended; and the said petitions were severally read, and

Laid upon the table.

The Speaker laid before the Senate a letter from John Heckewelder, Moravian Minister, resident at Muskingum, in the State of Ohio, on behalf of William Henry Kilbuck, an Indian, whose claim to an island, in the river Allegheny, had been before former Legislatures. The claim is founded upon services rendered, by said Kilbuck, to the State of Pennsylvania, and the United States, in the wars with the Indians, and his settling and improving the said island. Mr. Heckewelder urges the attention of the Legislature to the said claim. And the said letter was twice read, and referred to Mr. Irish, Mr. Borrows, and Mr. Bright, to consider and report thereon.

Mr. Borrows, from the Committee appointed for the purpose, yesterday, reported the Bill, entitled, "*An Act for the Relief of Joshua Williams, of Centre County;*" which was read the first time.

Mr. Borrows, from the Committee appointed for that purpose, on the 22d February, reported the Bill, entitled, "*An Act providing for the Settlement of Accounts of Lottery Commissioners, and others concerned in Lotteries;*" which was read the first time.

Mr. Irish, from the Committee appointed, yesterday, for that purpose, reported the Bill, entitled, "*An Act for the Relief of William Tegarden;*" which was read the first time.

Mr. Campbell, from the Committee to whom was referred, on the 21st of February, the petition of Joseph Rann, on leave now given, reported the Bill, entitled, "*An Act granting an Annuity to Joseph Rann;*" which was read the first time.

Mr. Sommer, from the Committee to whom was referred, on the 2d of this month, the petition of the subscribers thereto, purchasers of lands sold as the estate of John Nicholson, deceased, formerly Comptroller-general, on leave now given, reported the Bill, entitled, "*An Act to provide for the Payment of the Taxes due on the Lands of the late John Nicholson; on which the State had a Lien;*" which was read the first time.

On motion of Mr. Dorsey and Mr. Mitchell,

The following Resolution was twice read, considered, and adopted:

*Resolved*, That the Speaker draw his warrant on the State Treasurer, for the sum of one hundred dollars, in favor of William Greer, Printer of the Bills of Senate; he to be accountable for the same.

Whereupon,

A warrant was accordingly so drawn.

The petition of the subscribers thereto, the Minister, &c. of the African Episcopal Church, of St. Thomas, in the city of Philadelphia, read yesterday, was again read, and referred to Mr. Dorsey, Mr. Hiestor, and Mr. Udree, to consider and report thereon.

On leave given, Mr. Mitchell read a Bill in his place, and, by permission, presented the same to the chair, entitled, "*A further Supplement to an Act, entitled, 'An Act directing the Mode of settling Accounts in the Land-office, and to prevent Fraud in obtaining Land-warrants;*" which was read the first time.

The Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice,'*" was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Lacock and Mr. Brady; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Blocher,  
Borrows,  
Bright,  
Dorsey,  
Doty,  
Gress,  
Hiefter,  
Irish,  
Lacock,  
Laird,

## NAYS.

Messrs. Brady,  
Erwin,  
Heston,  
Mayer,

## YEAS.

Messrs. Lattimore,  
M'Arthur,  
Mitchell,  
Palmer,  
Rahm,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver. 20.

## NAYS.

Messrs. Miller,  
Slaymaker,  
Wayne,  
Lane (*Speaker*). 8.

Twenty Yeas, eight Nays; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the said Bill be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act to enable the Commissioners of Mercer County to finish the Public Buildings, for said County, by a Loan from the State,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Sommer,

To amend the section, by reducing the sum, proposed to be loaned, from 3000 to 1500 dollars; which was not agreed to.

Thereupon,

The question, on adopting the section, being put, was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act for ascertaining, whether the several original Warrantees, and those who derive their Titles therefrom, have performed the Conditions of Settlement, Improvement, and Residence, or those Requisitions which shall be admitted equivalent thereto, agreeably to the Provisions of the Act of the General Assembly of Pennsylvania, entitled, 'An Act for the Sale of the vacant Lands within this Commonwealth,' passed the third day of April, one thousand seven hundred and ninety-two;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Brady in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Monday next.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act appropriating a Sum of Money, for erecting a Bridge over Turtlecreek, in the County of Allegheny, where the State Road, from Philadelphia to Pittsburg, crosses the same.*

He returned the Bill, entitled,

*An Act making a new Arrangement of the Treasury Department.*

And informed that the House of Representatives have passed the said Bill, with amendments; in which the concurrence of Senate is requested.

He also informed, that the House of Representatives have concurred in the amendment, by Senate, to the Bill, entitled,

*A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties.'*

The Bill, presented for concurrence, was read the first time.

The amendments, by the House of Representatives, to the Bill, entitled, "*An Act making a new Arrangement of the Treasury Department,*" were read as follow:

Section 1, line 15, between the words, "Treasurer and," insert, "until after settlement be made, they shall be deposited with the Auditor-general."

Add, to the end of the section, the following:

"Together with the Treasury-warrants, which may be then in the office of the Comptroller-general, until they be respectively called for. And it shall be the duty of the Prothonotaries, Sheriffs, Treasurers, and all Officers or other persons whose duties, by the existing Laws, require a return to be made to, or settlement with, the Register-general; the same shall be made to the Auditor-general, at the same time, and in the same manner, as is now required by Law.

Section 2. Strike out from the word 'account,' in the 8th line, to the end of the section; and insert, in lieu thereof, the following:

"The disagreement shall be settled in the same manner as is now directed by Law, when the Comptroller-general and Register-general disagree, in the settlement of any account. And if any individual shall think himself aggrieved, by any settlement made under this Act, he shall have the like remedy of an appeal, under the same circumstances, as if the settlement had been made, under the existing Laws, by the Officers last mentioned."

Section 3. Strike, from lines 2 and 3, the following:

“ By the concurrence of the Auditor-general and State Treasurer.”

Section 4, line 3. Between the words, “ salaries and,” insert, “ annuities.”

Section 5. Add to the end thereof, as follows :

“ And the Auditor-general shall procure a seal of office ; and all papers certified by the Auditor-general, under seal of office, shall be legal evidence in Courts of Justice within this Commonwealth.”

Section 8. Strike, from the 3d and 4th lines, these words :

“ And continue in office ;” and insert, in lieu thereof, the word, “ for.”

Strike from the word “ yeas,” in line 4, to the word “ But,” in line 6.

Introduce 2 new sections, to be numbered 10 and 11, as follow :

Section 10. *And be it further enacted, by the authority aforesaid,* That, in case of any appeal or appeals from the settlement of any account, such appeal shall be forthwith transmitted, by the Auditor-general, to the Prothonotary of the Court of Common Pleas, of the county in which the Seat of Government is or may be ; there to be tried and determined : Subject, nevertheless, to a further appeal to the Court, in Bank, of the proper District.

Section 11. *And be it further enacted, by the authority aforesaid,* That the County Commissioners, respectively, shall be, and they are hereby, required and enjoined, under the penalty of one hundred dollars, to certify the name of the Treasurer of the proper county, together with the date of his appointment, within 30 days thereafter, to the State Treasurer.

Make section 10, of the printed Bill, read section 12 ; and in lines 2 and 3, thereof, strike out the following :

“ All Acts and parts of Acts ;” and insert, in lieu thereof, these words ; “ such part of any Act or Acts.”

Commence the preamble with the word “ where- as.”

Add to the title the following :

“ And enjoining certain Duties on County Commissioners.”

On motion of Mr. Lacock, and Mr. Laird,

The Senate adjourned, till 4 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

The Bill, entitled, “ *An Act to establish a Public Ferry on the North Side of the West Branch of Susquehanna, about two Miles below Williamsport, in the County of Lycoming, and to vest the Right thereof in John Domini, his Heirs and Assigns,*” was read the second time, considered by section, and agreed to.

The title of the Bill having been agreed to,

Ordered, That it be prepared for the third reading.

On motion of Mr. Wayne and Mr. Roberts,

The Resolution, relative to the adjournment of the Legislature, read on the 2d of this month, was again read.

Whereupon,

The Yeas and Nays, on agreeing thereto, were required by Mr. Laird and Mr. Lacock; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Blocher,  
Borrows,  
Brady,  
Bright,  
Dorsey,  
Doty,  
Erwin,  
Gress,  
Heston,  
Hiefter,  
Irish,  
Laird,  
Lattimore,

NAYS.

Messrs. Lacock,  
M'Arthur,

YEAS.

Messrs. Mayer,  
Miller,  
Palmer,  
Rahm,  
Rankin,  
Roberts,  
Slaymaker,  
Sommer,  
Stevenson,  
Udree,  
Wayne,  
Lane (*Speaker*). 25.

NAYS.

Weaver. 3.

Twenty-five Yeas, three Nays; by which it appeared, that the question was determined in the affirmative; and so it was resolved, that the Legislature will adjourn, without day, on Tuesday, the 28th instant.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The Bill, entitled, "*An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Roberts and Mr. Wayne,  
The Senate resumed, in Committee of the Whole, Mr. Doty in the chair, the consideration of the Bill, entitled, "*An Act to incorporate the Marine Insurance Company, of Philadelphia.*"

And, after some time,  
The Committee rose, and reported the Bill, with amendments; which were read as reported.

On motion of Mr. Roberts and Mr. Sommer,  
The Senate resumed the consideration of the Bill, entitled, "*An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia and its Neighborhood;*" postponed, for the present, on the 3d of this month.

The consideration of section 1 recurring,  
A motion was made, by Mr. Roberts and Mr. Dorsey,

To amend the section, by inserting next after the word "Varnish," in line 6, the words, "or refining Saltpetre;" which was not agreed to.

A motion was then made, by Mr. Dorsey, and Mr. M'Arthur,

To amend the section, by inserting the following, in line 12, *to wit*:

"Unless the said distilling, boiling, or manufacturing be carried on in an open place, at least 30 feet distant from any building, vessel of Commerce, or



other property which might be injured thereby; or in a completely fire-proof building; the sufficiency of which fire-proof shall be determined and agreed upon, by at least 5 respectable Master Bricklayers, of the said city; who shall certify the same under their hands."

On which motion,

The Yeas and Nays were required by Mr. Roberts and Mr. Dorsey; and, on the question being put, the Members voted as follow, *to wit*:

## YEAS.

Messrs. Blocher,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Irish,  
Laird,  
Lattimore,  
Mayer,

## NAYS.

Messrs. Doty,  
Roberts,

## YEAS.

Messrs. M'Arthur,  
Miller,  
Rahm,  
Rankin,  
Slaymaker,  
Sommer,  
Stevenson,  
Udree,  
Weaver,  
Lane (*Speaker*). 21.

## NAYS.

Wayne. 3.

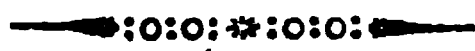
Twenty-one Yeas, three Nays; by which it appeared, that the question was determined in the affirmative.

The section, as amended, was adopted.

The remaining sections, with the title of the Bill, having been adopted,

*Ordered*, That the said Bill be prepared for the third reading.

Adjourned, till 10 o'clock tomorrow morning.



Saturday, March 11, 1809.

Mr. Wayne presented the petition of the subscribers thereto, inhabitants of the county of Chester, praying that said county may be included in the provisions of the Bill, now before the Senate, for the preservation

of small game; and the said petition was twice read, and referred to the Committee of the Whole, when that Committee shall have under consideration the said Bill.

Mr. Rahm presented three petitions, of similar purport, from the subscribers thereto, inhabitants of the Commonwealth, praying for an Act incorporating a company to build a bridge over the Susquehanna, at Harrisburg; and the same was twice read, and referred to Mr. Rahm, Mr. Sommer, and Mr. Irish, to consider and report thereon.

Mr. Laird, from the Committee appointed for that purpose, made report:

That the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills entitled, respectively, as follow, viz.

1. *A Supplement to the Act, entitled, 'An Act for the Relief of the Poor.'*

2. *An Act to regulate the Issuing of Patents for Donation-lands.*

3. *A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'*

4. *An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter-lot of Ground in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned.*

Mr. Weaver, from the Committee appointed, yesterday, for that purpose, reported the Bill, entitled, "*An Act dissolving the Marriage of Richard Lott and Lucy, his Wife;*" which was read the first time.

Mr. M'Arthur, from the Committee to whom was recommitted, on the 9th of this month, the Bill, entitled, "*An Act for preserving the Race of Muskrats and Beavers, and thereby save a Race of Furs, for Home Manufactures,*" reported the said Bill, with amendments; which were read as reported.

Mr. Dorsey, from the Committee to whom was, yesterday, referred the petition of the Minister; &c.

of the African Episcopal Church, in Philadelphia, on leave now given, reported the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to raise, by Way of Lottery, a Sum not exceeding eight thousand Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church, of St. Thomas, in the City of Philadelphia;*" which was read the first time.

Mr. Dorsey, from the Committee to whom was referred, on the 2d of this month, the petition of the President, Adjuntas, and Members of the Hebrew congregation, of the city of Philadelphia, on leave now given, reported the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act authorising the President, Adjuntas, and Members of the Hebrew Congregation of the City of Philadelphia, to raise, by Way of Lottery, a Sum of Money, for the Repair of their Synagogue, and Place of Burial, and for other Purposes;*" which was read the first time.

The Bill, entitled, "*An Act to establish a Public Ferry on the North Side of the West Branch of the Susquehanna, about two Miles below Williamsport, in the County of Lycoming, and to vest the Right thereof in John Domini, his Heirs and Assigns,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

On motion of Mr. Weaver and Mr. Roberts,

The Senate proceeded to the consideration of the amendments, by the House of Representatives, on the Bill, entitled, "*An Act making a new Arrangement of the Treasury Department;*" read yesterday.

The first amendment was not concurred in.

The remaining amendments were severally adopted.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The Bill, entitled, "*An Act to prohibit the distilling and boiling of Turpentine, and Oil, and the manufactu-*

*ring of Varnish, within the City of Philadelphia, and its Neighborhood,"* was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. Which amendments,

Limit the operations of the Bill to Tenthstreet, instead of Broadstreet; and provide that manufacturing, in fire-proof buildings, shall not be prevented.

The Bill, entitled, "*An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act to incorporate the Marine Insurance Company, of Philadelphia,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on adopting the same, were required by Mr. Lacock and Mr. Stevenson; and, on the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Borrows,  
Brady,  
Bright,  
Campbell,  
Dorsey,  
Erwin,  
Grefs,  
Heston,  
Irish,  
Laird,  
Lattimore,

YEAS.

Messrs. Mayer,  
Miller,  
Palmer,  
Rahm,  
Rankin,  
Slaymaker,  
Sommer,  
Udree,  
Wayne,  
Lane (*Speaker*). 21.

NAYS.

Messrs. Blocher,  
Doty,  
Lacock,  
M'Arthur,

NAYS.

Messrs. Mitchell,  
Roberts,  
Stevenson,  
Weaver. 8.

Twenty-one Yeas, eight Nays ; by which it appeared that the question was determined in the affirmative.

Section 2 was adopted.

Section 3, containing the articles of association, being under consideration,

Article 1 was adopted.

Article 2 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To amend the article, by inserting, in line 21, a provision, that persons voting by proxy shall deposit the written evidence thereof with the Directors, at the time of voting ; and that none but citizens of the State shall be allowed so to vote ; which was agreed to, and the article as amended adopted.

The remaining articles, sections, preamble, and title, of the Bill, were severally agreed to.

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to encourage the Killing of Squirrels and Crows, in certain Western Counties of this Commonwealth*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Bright in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill without amendment.

The Bill, entitled, "*An Act providing for the Removal of the Seat of Justice, in the County of Bucks, from Newtown to a more central Place, and for other Purposes*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Monday next.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary of the Commonwealth to return the same to the respective Houses in which they originated, viz.

1. *A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'*

2. *An Act to regulate the Issuing of Patents, for Donation-land.*

3. *An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance, for a Quarter-lot of Ground in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned.*

4. *A Supplement to the Act, entitled, 'An Act for the Relief of the Poor.'*

SIMON SNYDER.

*Lancaster, March 11, 1809.*

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*An Act authorising a Loan of Money, from the State, to William M'Dermott.*

And, for signature, the Bill, entitled,

*An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County.*

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bills, entitled, as follow, to wit:

1. *An Act to incorporate the Farmers' and Mechanics' Bank.*

2. *An Act concerning Libels.*

3. *An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia, and its Neighborhood.*

He also presented an extract from the Journal of that House, which was read as follows, viz.

*“ In the House of Representatives.*

*March 11, 1809.*

*“ The Resolution from Senate, relative to the Adjournment of the Legislature, was read a second time, amended, and adopted, as follows, viz.*

*“ Resolved, That the Legislature will adjourn, without day, on Tuesday, the 4th day of April next.”*

The Bill, presented for concurrence, was read the first time.

The Speaker signed the Bill presented for signature.

On motion of Mr. Weaver and Mr. Roberts,

The Senate adjourned, till 4 o'clock in the afternoon.

SAME DAY IN THE AFTERNOON.

The Bill, entitled, *“ An Act to raise, by Way of Lottery, a Sum not exceeding four thousand Dollars, for the Use and Benefit of the Minister, Church-wardens, and Vestrymen of Trinity Church, in Pittsburg,”* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Roberts in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Weaver and Mr. Stevenson,

The Resolution, relative to the establishment of an Academy in Greene county, was again read; and, being under consideration,

A motion was made, by Mr. Roberts and Mr. Sommer,

To amend the Resolution, by striking out of the fourth paragraph the sum of 5000, and inserting in place thereof 1000.

Mr. Weaver called for a division of the question, to end with striking out.

Whereupon,

The question, Will Senate agree to strike out 5000? being put, was determined in the affirmative.

Thereupon,

A motion was made, by Mr. Weaver and Mr. Campbell,

To fill the blank with 2000.

Mr. Wayne and Mr. Doty mentioned 1500.

Mr. Roberts and Mr. Sommer mentioned 1000.

Agreeably to the 18th rule of Senate,

A question was first put on 2000, and agreed to.

The Resolution as amended was adopted.

*Ordered*, That Mr. Weaver, Mr. Campbell, and Mr. Miller be a Committee, for the purpose expressed in the said Resolution.

The Bill, entitled, "*An Act to declare Greencreek and its Branches, in Northumberland County, Public Highways*," was read the second time; considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On motion of Mr. Roberts and Mr. Wayne,

The extract from the House of Representatives, relative to the Adjournment, was again read.

Whereupon,

The Yeas and Nays, on concurring the amendment of the House of Representatives, were required by Mr. Hiefter and Mr. Erwin; and on, the question being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Blocher,  
Borrows,  
Campbell,  
Erwin,  
Heston,  
Irish,  
Lacock,  
M'Arthur,

YEAS.

Messrs. Miller,  
Mitchell,  
Rahm,  
Roberts,  
Sommer,  
Stevenson,  
Weaver. 15.



## NAYS.

Messrs. Brady,  
Bright,  
Doty,  
Grefs,  
Hiester,  
Laird,  
Lattimore,

## NAYS.

Messrs. Mayer,  
Palmer,  
Rankin,  
Udree,  
Wayne,  
Lane (*Speaker*). 13.

Fifteen Yeas, thirteen Nays ; by which it appeared, that the question was determined in the affirmative.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

Adjourned, till 10 o'clock Monday morning.



Monday, March 13, 1809.

Mr. Preston presented the petition of the subscribers thereto, inhabitants of the county of Delaware, stating the embarrassments which are experienced by those persons who attend the Highstreet market, in Philadelphia, in consequence of a want of convenient stalls, or shambles ; that the corporation are authorized to extend the said market, and appropriate one-half of said extension, free of expence, for the use of the country People, who attend the market. That the corporation do not feel themselves justified in appropriating a large sum of money, for the erection of markethouses, where there exists no expectation of receiving an interest for the money so expended. The petitioners therefore pray, that the Legislature will pass an Act authorising the corporation to let or rent the half of such market (when erected) for the use of the country People, and the other half to Butchers, &c. on the usual terms. And the said petition was twice read, and referred to the Committee of the Whole, when that Committee shall have the Bill on the subject under their consideration.

Mr. Preston presented the petition of the subscribers thereto, inhabitants of the counties of Delaware and Chester, praying that the Bill now before the Senate,

for the preservation of small game, may be passed into a Law; and the said petition was twice read, and referred to the Committee of the Whole, when the said Bill shall be under consideration by that Committee.

Mr. Roberts, from the Committee to whom was referred, on the 24th of February, the Bill, entitled, "*An Act to incorporate the Millgrove Mine Company,*" reported the Bill, with amendments; which were read as reported.

The Bill, entitled, "*An Act to incorporate the Marine Insurance Company, of Philadelphia,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. Which amendments are:

1. Reduce the yearly income of the estate, to be held by the corporation, from 10 to 6000 dollars.

2. Authorise the company to vest their funds in their own stock, as well as in the Banks, &c.

3. Persons voting by proxy shall be citizens of the State, and deposit the written evidence of the proxy with the Directors, at the time of voting.

4. Strike out the provision, authorising the company to make insurances by way of tontine.

5. As a substitute for section 4, as passed by the House of Representatives, insert a provision that the said company shall pay the Commonwealth 1 per cent, annually, on the amount of their capital, whenever they divide more than 9 per cent per annum on such capital: The amount of dividends to be proven, before the Mayor of Philadelphia. This provision not to take effect, until the first of January, 1815; nor then, unless other charters, thereafter granted, be subjected to the same condition.

The Bill, entitled, "*An Act to declare Greencreek and its Branches, in the County of Northumberland, Public Highways,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to encourage the Killing of Squirrels and Crows, in certain Western Counties of this Commonwealth,*" was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The title of the Bill having been agreed to,

Ordered, That it be prepared for the third reading.

The Report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act to raise, by Way of Lottery, a Sum not exceeding four thousand Dollars, for the Use and Benefit of the Minister, Church-wardens, and Vestrymen of Trinity Church, in Pittsburg,*" read on the 11th of this month, was again read, considered, and adopted; and so the Bill was lost.

The Bill, entitled, "*An Act for the Relief of John M'Dowell,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

The Clerk of the House of Representatives presented, for concurrence, four Bills, entitled, respectively, as follow, to wit:

1. *An Act authorising the Sale of the real Estate, the Property of John Barron, late of the County of Somerset.*

2. *An Act authorising the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway, opposite the Plantation of Thomas Grant, to Shamoken Island, through the*

*Public Highway of Shamoken Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland.*

3. *An Act for the Relief of Giles M'Dowell.*

4. *A Supplement to an Act, entitled, 'An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia.'*

And, for signature, the Bills, entitled, as follow, to wit:

1. *An Act to incorporate the Farmers' and Mechanics' Bank.*

2. *A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties.'*

And he informed, that the House of Representatives have receded from their amendment, not concurred in by Senate, to the Bill, entitled,

*An Act making a new Arrangement of the Treasury Department, and enjoining certain Duties on County Commissioners.*

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bills presented for signature.

On motion,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act for ascertaining, whether the several original Warrantees, and those who derive their Titles therefrom, have performed the Conditions of Settlement, Improvement, and Residence, or those Requisitions which shall be admitted equivalent thereto, agreeably to the Provisions of the Act of the General Assembly of Pennsylvania, entitled, 'An Act for the Sale of the vacant Lands within this Commonwealth,' passed the third day of April, one thousand seven hundred and ninety-two;*" was postponed, for the present.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Palmer in the chair, the consideration of the

Bill, entitled, "*An Act providing for the Removal of the Seat of Justice, in the County of Bucks, from Newtown to a more central Place, and for other Purposes.*"

And, after some time,

The Committee rose, and reported the Bill without amendment.

On motion of Mr. Weaver and Mr. Roberts,

The Senate adjourned, till half past 3 o'clock, in the afternoon.

SAME DAY, IN THE AFTERNOON.

Mr. Lacock presented the petition of the subscribers thereto (1809) inhabitants of Bucks county, praying that the said county may be divided; and the same was read, and

Laid upon the table.

Mr. Lacock also presented the remonstrance of the subscribers thereto (89) inhabitants of Bucks county, in opposition to the removal of the Seat of Justice in said county from Newtown; and the same was read, and

Laid upon the table.

The Bill, entitled, "*An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

On motion of Mr. Weaver and Mr. Mayer,

The said Bill was considered by section, and agreed to.

The preamble and title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for signature, the Bills, entitled, respectively, as follow, viz.

1. *An Act concerning Libels.*
2. *An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia and its Neighborhood.*
3. *An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth.*

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

*An Act to incorporate the Marine Insurance Company, of Philadelphia.*

The Speaker signed the Bills presented for signature.

The Bill, entitled, “*A Supplement to an Act, entitled, ‘An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same;’*” was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

On leave given, Mr. Dorsey read a Bill in his place, and by permission presented the same to the chair, entitled, “*An Act authorising the County Commissioners, throughout this Commonwealth, to exempt from Taxation, in certain Cases, the Property of religious, literary, and charitable Societies.*” And the said Bill was read the first time.

The Bill, entitled, “*An Act for preserving the Race of Muskrats and Beavers, and thereby save a Source of Furs for Home Manufactures,*” was read the second time, as reported by Select Committee, to whom it had been recommitted, considered by section, and agreed to.

The preamble was agreed to.

The title having been amended so as to read, “*An Act for preserving the Race of Muskrats and Beavers, in certain Counties within this Commonwealth,*” and agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On motion of Mr. Dorsey and Mr. Mitchell, Senate resumed the consideration of the Bill, entitled, "*An Act to incorporate the Female Association of Philadelphia.*"

Section 1 recurring,

The Yeas and Nays, on adopting the same, were required by Mr. Roberts and Mr. Dorsey; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.	NAYS.
Messrs. Campbell,	Messrs. Blocher,
Dorsey,	Borrows,
Erwin,	Bright,
Gress,	Doty,
Heston,	M'Arthur,
Irish,	Miller,
Lacock,	Preston,
Laird,	Rahm,
Lattimore,	Roberts,
Mayer,	Stevenson,
Mitchell,	Wayne,
Slaymaker,	Weaver,
Udree. 13.	Lane ( <i>Speaker</i> ). 13.

Thirteen Yeas, thirteen Nays; by which it appeared that the question was determined in the negative; and so the Bill was lost.

Mr. Heston asked and obtained leave of absence, for Mr. Sommer, for one week.

Mr. Wayne asked and obtained leave of absence, for Mr. Brady, for one week.

On motion of Mr. Roberts and Mr. Dorsey, and by special order,

The Bill, entitled, "*An Act to incorporate the Millgrove Mine Company,*" was read the second time, as reported by Select Committee, this morning.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, as follow, viz.

1. *A Supplement to an Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties.*

2. *An Act to incorporate the Farmers' and Mechanics' Bank.*

3. *An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County.*

Adjourned, till 10 o'clock tomorrow morning.



Tuesday, March 14, 1809.

The Speaker laid before the Senate a letter, from the Secretary of the Commonwealth, informing that he had, according to Law, laid before the House of Representatives fundry documents and depositions, in case of complaints against James M'Candlefs, Esquire, a Justice of the Peace in and for the county of York; which was read, and

Laid upon the table.

Mr. Preston presented the petition of the subscribers thereto, inhabitants of Chester county, praying that the alteration in the law, regulating the building of the markethouse in Philadelphia, requested by certain petitioners of the counties of Chester, Montgomery, and Delaware, may not take place; and the said petition was twice read, and referred to the Committee of the Whole, when that Committee shall have under consideration the Bill, relative to the extension of the markethouse in Highstreet, in the said city.



The Bill, entitled, "*An Act to encourage the Killing of Squirrels and Crows, in certain Western Counties of this Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to enable the Governor to incorporate a Company to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same;'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill, without amendment.

The Bill, entitled, "*An Act for preserving the Race of Muskrats and Beavers, in certain Counties within this Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act for the Relief of John M'Dowel,*" was read the second time, as reported by

Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Wayne and Mr. Preston,

To amend the section, by striking out all that follows the word, 'and,' in line 6; and inserting, in place thereof, the following:

"That an annuity of forty dollars be granted, for the use of John M'Dowel, to be paid half-yearly to Alexander M'Clean, of Fayette county, his executor or executors, administrator or administrators, his or their lawful attorney, to commence from the first day of January, 1809, on warrants to be drawn by the Governor on the State Treasury; which annuity shall be expended by the said Alexander M'Clean, his executor or executors, administrator or administrators, his or their lawful attorney, in providing clothing, lodging, and diet for the said John M'Dowel. And it shall be, and it is hereby made, the duty of the said Alexander M'Clean, his executor or executors, administrator or administrators, his or their lawful attorney, to make an annual return to the Orphans' Court of Fayette county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided, by this Act."

Which was agreed to, and the section as amended adopted.

The preamble was agreed to.

The title having been amended, so as to read, '*An Act granting an Annuity to John M'Dowel,*' and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act providing for the Removal of the Seat of Justice, in the County of Bucks, from Newtown to a more central Place, and for other Purposes,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration.

A motion was made by Mr. Lacock and Mr. Heston,

To postpone the further consideration of the Bill, and recommend it to the attention of Senate, at their next Session, and required the Yeas and Nays thereon; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Borrows,  
Campbell,  
Dorsey,  
Grefs,  
Heston,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Blocher,  
Bright,  
Doty,  
Erwin,  
Lattimore,  
M'Arthur,  
Miller,

YEAS.  
Messrs. Mayer,  
Palmer,  
Preston,  
Rankin,  
Slaymaker,  
Wayne,  
Lane (*Speaker*). 15.

NAYS.  
Messrs. Mitchell,  
Rahm,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 13.

Fifteen Yeas, thirteen Nays; by which it appeared that the question was determined in the affirmative.

Mr. Lacock read in his place, 'an account of the proceedings of a large and respectable number of the inhabitants of the county of Bucks, met at Newtown, Monday, 6th March, 1809, to take into consideration the present application for a removal of the Seat of Justice from Newtown,' signed Isaac Hicks, Chairman, and James Raguet, Secretary; and on the question, Shall the Member have leave to present the paper to the Chair?

The Yeas and Nays were required by Mr. Lacock and Mr. Roberts; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Borrows,  
Bright,  
Campbell,  
Grefs,

YEAS.  
Messrs. Heston,  
Irish,  
Lacock,  
Laird,  
Lattimore,

## YEAS.

Messrs. Mayer,  
Palmer,  
Preston,  
Rahm,  
Rankin,

## NAYS.

Messrs. Dorsey,  
Doty,  
M<sup>r</sup>Arthur,  
Miller,

## YEAS.

Messrs. Slaymaker,  
Wayne,  
Weaver,  
Lane (*Speaker*). 19.

## NAYS.

Messrs. Mitchell,  
Roberts,  
Stevenson,  
Udree. 8.

Nineteen Yeas, eight Nays; by which it appeared that the question was determined in the affirmative.

Whereupon,

Mr. Lacock presented the said paper, which was read; by which it appears, that, in the opinion of the meeting, the removal of the Seat of Justice from Newtown, 'while it will only silence the murmurs of a part of the county, will raise an increasing dissatisfaction in another part;' 'that, for doing equal and impartial justice, and that the present unhappy dispute may be put to rest, do consider a division of the county, at this time, the most harmonious measure that can be adopted: They therefore recommend, that petitions be presented to the Legislature, for that purpose.'

And the said paper was laid upon the table.

The Bill, entitled, "*An Act to incorporate the Millgrove Mine Company,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

The question on agreeing thereto being put, was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act granting an Annuity to George Blakely,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act enjoining further Duties on the Judges of the Supreme Court,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Bill, entitled, "*An Act granting an Annuity to Hugh Quay,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, five Bills, entitled, respectively, as follow, *to wit*:

1. An Act granting a Tract of Donation-land, for the Use of the Widow and Children of Edward Beeby, deceased.

2. An Act for the Relief of John Boyls, a Sergeant in the late revolutionary War.

3. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

4. An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safe-harbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible.

5. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

He returned, the Bill, entitled,

‘ An Act authorising John Sharp, acting administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned.’

And informed, that the House of Representatives have passed said Bill without amendment.

The Bills presented for concurrence were read the first time.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, three Bills, entitled, respectively, as follow, *viz.*

1. An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia and its Neighborhood.

2. An Act allowing further Time, to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth.

3. An Act concerning Libels.

On motion of Mr. Dorsey and Mr. Udree.

The Committee, to whom were referred the petitions of certain literary, religious, and charitable societies, praying that certain property may be exempted from taxation, was discharged from the further consideration thereof.

Adjourned, till 10 o'clock tomorrow morning.

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Wednesday, March 15, 1809.

Mr. Doty presented the petition of the subscribers thereto, inhabitants of Greenwood township, in the county of Mifflin, praying that the place of holding the Elections in the said township may be changed, and fixed at the House now occupied by Joseph Sellers; and the said petition was read, and

Laid upon the table.

Mr. Miller presented the petition of James M'Kisick, of Adams county, stating that he is regularly possessed of and owns a tract of land, on the waters of Tomscreek, under a proprietary warrant; that,

owing to an informality in the manner of paying the purchase money, the petitioner cannot procure a patent for the said land: He therefore prays relief. And the said petition was twice read, and referred to Mr. Miller, Mr. Campbell, and Mr. Weaver, to consider and report thereon, by Bill or otherwise.

Mr. Roberts presented the petition of David Thomas, stating that, while in the exercise of the duties of the office of Sheriff of Bucks county, a certain person was indicted for keeping a tipplinghouse, and incurred the penalty of £ 10. That, being poor, the petitioner took his note; and, in the settlement of his account with the Register-general, the petitioner was charged with the said sum of ten pounds. That the late Governor, afterwards, remitted the said fine, and thereby the petitioner cannot recover the amount of the note. He therefore prays relief. And the said petition was twice read, and referred to Mr. Roberts, Mr. Erwin, and Mr. Wayne, to consider and report thereon.

Mr. Campbell, presented the petition of the subscribers thereto, inhabitants of York county, praying that the Law for patenting lands may be extended, beyond the month of September next; and the said petition was read, and referred to the Committee of the Whole, when the Bill, extending the time of patenting lands, shall be under consideration by that Committee.

Mr. Rahm, from the Committee to whom was referred, on the 11th of this month, the petition of the subscribers thereto, on leave now given, reported the Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near the Borough of Harrisburg, in Dauphin County;*" which was read the first time.

Mr. Weaver, from the Committee appointed for that purpose, on the 11th of this month, reported the Bill, entitled, "*An Act establishing an Academy in Carmichaelstown, in the County of Greene;*" which was read the first time.

The Bill, entitled, "*An Act for the Relief of John M'Dowel,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

For the amendments, see Journal of yesterday.

The Bill, entitled, "*An Act granting an Annuity to George Blukely*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting an Annuity to Hugh Quay*," was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to prevent the Killing of Rabbits, Pheasants, and Partridges, out of Season, in Delaware County*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion of Mr. Mitchell and Mr. Lacock,

The said Bill was considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Mitchell and Mr. Lacock; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Blocher,  
Bright,  
Campbell,  
Erwin,

YEAS.

Messrs. Grefs,  
Heston,  
Irish,  
Laird,



## YEAS.

Messrs. Lattimore,  
Mayer,  
M'Arthur,  
Miller,  
Palmer,  
Preston,  
Rahm,

## NAYS.

Messrs. Borrows,  
Dorsey,  
Doty,  
Lacock,

## YEAS.

Messrs. Rankin,  
Roberts,  
Slaymaker,  
Udree,  
Wayne,  
Lane (*Speaker*). 21.

## NAYS.

Messrs. Mitchell,  
Stevenson,  
Weaver. 7.

Twenty-one Yeas, seven Nays ; by which it appeared that the question was determined in the affirmative.

The remaining sections were agreed to.

The title having been amended so as to read, "*An Act to prevent the Killing of Rabbits, Pheasants, and Partridges, out of Season, in Delaware, Chester, and Philadelphia Counties,*" and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, as follow, *viz.*

1. An Act granting to John Caulket an Annuity, for Life.

2. An Act granting to Samuel M'Neill an Annuity, for Life.

And, for signature, four Bills, entitled respectively as follow, *to wit* :

1. A Supplement to an Act, entitled, 'An Act to enable the Governor to incorporate a Company, to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same.

2. An Act to incorporate the Marine Insurance Company, of Philadelphia.

3. An Act making a new Arrangement of the Treasury Department, and enjoining certain Duties on County Commissioners.

4. An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned.

And he returned the Bill, entitled,

‘An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock, in the County of Philadelphia.’

And informed, that the House of Representatives have passed the said Bill with amendments; in which the concurrence of Senate is requested.

The amendments on the said Bill were read as follow, *to wit*:

Section 1, line 13. Strike out the word, ‘afore-said.’

Section 9. Strike from line 3 the word, ‘seven,’ and insert, ‘one.’ This amendment limits the width of the Bridge, to 21, instead of 27, feet.

Strike from line 12, and wherever they occur throughout the section, the words, ‘the sum of.’

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bills presented for signature.

The Bill, entitled, “*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, beginning at or near Kelfo’s Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington;*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Gress in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

The Bill, entitled, “*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Mitchell’s and Howell’s Ferry;*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion of Mr. Weaver and Mr. Roberts,

The Senate adjourned, till 4 o'clock in the afternoon.

SAME DAY IN THE AFTERNOON.

The Bill, entitled, "*An Act authorising the Sale of real Estate, the Property of John Barron, late of the County of Somerset, deceased,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Slaymaker in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

The Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway, opposite the Plantation of Thomas Grant, to Shamoken Island, through the Public Highway of Shamoken Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Bright in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

The Bill, entitled, "*An Act for the Relief of the Keeper of the Debtors' Prison,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

The Bill, entitled, "*An Act to erect Parts of Luzerne and Lycoming Counties into separate County-districts,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Friday next.

Adjourned, till 10 o'clock tomorrow morning.



Thursday, March 16, 1809.

Mr. Campbell presented the petition of Edward Shea, of the county of York, stating that he served in various capacities, in the late revolutionary War; that he was considerably injured by a fall, while performing his duty; by which, and the infirmities of age, he is unable to support himself and family: He therefore prays relief. And the said petition was twice read, and referred to Mr. Campbell, Mr. Lattimore, and Mr. Rankin, to consider and report thereon.

Mr. Roberts, from the Committee to whom was yesterday referred the petition of David Thomas, on leave now given, reported the Bill, entitled, "*An Act for the Relief of David Thomas;*" which was read the first time.

Mr. Lacock, from the Committee to whom was referred, on the 9th of this month, the memorial of David Brodhead, jun. made report; which was read as follows, *to wit*:

That the claim of said Brodhead, for a number of tracts of Donation-land, transferred to him by the

assignees of the original owners, appears to depend entirely on the construction of Laws passed long since; which construction should be left to the authorities of this Commonwealth for without the interference of legislative opinion,

*Resolved*, That it would be improper future to take further order on this subject.

Ordered to lie upon the table.

Mr. Miller, from the Committee appointed for the purpose, on the 2d of this month, reported, entitled, "*An Act granting an Annual Hunt*;" which was read the first time.

The Bill, entitled, "*An Act to prevent the Killing of Rabbits, Pheasants, and Partridges, out of Season, in Delaware, Chester, and Philadelphia Counties*," was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Weaver and Mr. Lacock; and, on the question being put, the Members voted as follow, viz.

YEAS.	YEAS.
Messrs. Blocher, Bright, Campbell, Erwin, Gress, Heston, Irish, Laird, Lattimore, Mayer,	Messrs. M'Arthur, Miller, Palmer, Preston, Rahm, Rankin, Slaymaker, Wayne, Lane ( <i>Speaker</i> ). 19.
NAYS.	NAYS.
Messrs. Borrows, Dorsey, Lacock, Roberts,	Messrs. Stevenson, Udree, Weaver. 7.

Nineteen Yeas, seven Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That the said Bill be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting an Annuity to Hugh Quay,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, beginning at or near Kelfo's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Lacock,

To amend the section, by striking out the word, 'State;' so that the road may not be considered a State Road; which was agreed to, and the section as amended adopted.

Section 2 being under consideration,

A motion was made, by Mr. Roberts and Mr. Lacock,

To amend the section, by striking out the provision authorising the payment of the expences, by the State; and inserting in place thereof a provision for the payment of the said expences, out of the treasuries of the counties through which the road passes; which was agreed to.

The section as amended was adopted.

The title having been amended, so as to conform to the amendments made in the Bill, and agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Mitchell's and Howell's Ferry,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway, opposite the Plantation of Thomas Grant, to Shamoken Island, through the Public Highway of Shamoken Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Laird and Mr. Heston,

To amend the section, by striking out 'fifty,' and inserting 'twenty-five,' in place thereof; referring to the price of shares; which was agreed to, and the section as amended adopted.

Sections 2 to 9, inclusive, were severally agreed to.

Section 10 being under consideration,

A motion was made, by Mr. Roberts and Mr. Laird,

To amend the section, by adding thereto the following, *to wit*:

'*Provided, further, That no Toll shall be taken from any person or persons attending funerals, or walking in military procession, or from persons belonging to the Militia, in going to and returning from muster, on days of training,*' which was agreed to.

Whereupon,

On motion of Mr. Preston and Mr. Roberts,

The further consideration of the Bill was postponed, for the present.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, respectively as follow, *viz.*

1. An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana.

2. A Supplement to the Act, entitled, 'An Act for extending the Width of Wharffstreet, and regulating the Wharves in the District of Southwark.

And informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

'An Act granting an Annuity to John M'Dowel.'

And that they have receded from their non-concurrence to the amendments, made and insisted on by Senate, to the Bill, entitled,

'An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to the above Road, at or near M'Call's Ferry

presented, for signature, the Bill, entitled, 'An Act granting an Annuity to John M'Dowel.' Bills presented for concurrence were severally first time.

The Speaker signed the Bill presented for signature.

The report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act authorising the Sale of real Estate, the Property of John Barron, late of the County of Somerset, deceased;*" was read the second time, considered, and adopted; and so the Bill was lost.

The Bill, entitled, "*An Act granting a Sum of Money to Catbarine Shibe, for Services rendered by her late Husband, in the revolutionary War,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.



On motion of Mr. M'Arthur and Mr. Lacock,

The Senate resumed, in Committee of the Whole, Mr. Preston in the chair, the consideration of the Bill, entitled, "*An Act for ascertaining whether the several original Warrantees, and those who derive their Titles therefrom, have performed the Conditions of Settlement, Improvement, and Residence, or those Requisitions which shall be admitted equivalent thereto, agreeably to the Provisions of the Act of the General Assembly of Pennsylvania, entitled, 'An Act for the Sale of the vacant Lands within this Commonwealth,' passed the third day of April, one thousand seven hundred and ninety-two.*"

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Heston and Mr. Weaver,

The Senate adjourned, till 4 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

The Bill, entitled, "*An Act laying a Tax on 1 in certain Counties, and for other Purposes,*" was the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill without amendment.

The Bill, entitled, "*An Act for the Relief of Giles M'Dowel,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Monday next.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the  
Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary of the Commonwealth to return the same to the House of Representatives, viz.

1. A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties.'

2. An Act to incorporate the Farmers' and Mechanics' Bank.

3. An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia and its Neighborhood.

4. An Act allowing further Time to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth.

5. An Act concerning Libels.

6. An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County.

SIMON SNYDER.

*Lancaster, March 16, 1809.*

The Bill, entitled, "*An Act for the Relief of William Tegarden,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill without amendment.

On motion of Mr. Wayne and Mr. Roberts,

The further consideration, in Committee of the Whole, of the Bill, entitled, "*An Act for the Re-*

*lief of the Keeper of the Debtors' Prison,"* was postponed, for the present.

On motion of Mr. Lacock and Mr. M'Arthur,

The Senate resumed, in Committee of the Whole, Mr. Borrows in the chair, the consideration of the Bill, entitled, "*An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie, so far as the same lies in Beaver and Mercer Counties.*"

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, as follow, *to wit*:

1. A Supplement to an Act, entitled, 'An Act to enable the Governor to incorporate a Company to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same.

2. An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned.

3. An Act to incorporate the Marine Insurance Company, of Philadelphia.

4. An Act making a new Arrangement of the Treasury Department, and enjoining certain Duties on County Commissioners.

Adjourned, till 10 o'clock tomorrow morning.



Friday, March 17, 1809.

Mr. Preston presented the petition of the subscribers thereto, inhabitants of the counties of Philadelphia, Montgomery, Chester, and Delaware, of similar pur-

port to the petition presented by him, on the 13th of this month; and the same was twice read, and referred to the Committee of the Whole, when the Bill for extending the markethouse in Highstreet, in Philadelphia, shall be under consideration by that Committee.

Mr. Wayne presented the petition of the subscribers thereto, inhabitants of Chester county, praying that a tax may be laid on the Owners of Dogs; and the same was read, and

Laid upon the table.

Mr. Laird presented the petition of the subscribers thereto, inhabitants of Northumberland county, of a similar purport with the foregoing; and the same was read, and

Laid upon the table.

Mr. Miller, from the Committee to whom was referred, on the 15th of this month, the petition of James M'Kislick, on leave then given, reported the Bill, entitled, "*An Act authorising the Officers of the Land-office to grant to James M'Kislick a Credit, for certain Monies by him paid, in Part, for patenting his Land;*" which was read the first time.

Mr. Dorsey, from the Committee to whom was referred, on the 10th of December, the second item of the report on the Governor's address, and the Committee appointed, on the 28th of January, the memorial of the Premium Society of Philadelphia, on leave now given, reported the Bill, entitled, "*An Act for the Promotion of the internal Resources and Manufactures of this Commonwealth, and to incorporate a Company for the said Purpose, to be entitled, the Pennsylvania Premium Society;*" which was read the first time.

Mr. Erwin, from the Committee to whom was referred, on the 13th of last month, the petition of Joseph Smith and Sons, on leave now given, reported the Bill, entitled, "*An Act to authorise Joseph Smith and Sons to keep in Repair a Wingdam, on the West Side of the River Delaware, in Bucks County;*" which was read the first time.

Mr. Campbell, from the Committee to whom was referred, on the 13th January, the petition of Frede-

rick Rumel, on leave now given, reported the Bill, entitled, "*An Act for the Relief of Frederick Rumel;*" which was read the first time.

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road, beginning at or near Kelfo's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Mitchell's and Howell's Ferry,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Clerk of the House of Representatives presented, for concurrence,

' Resolutions, relative to the Mandamus of the Supreme Court of the United States, in the case of Cideon Olmstead;'

Which were read the first time.

The amendments, by the House of Representatives, on the Bill, entitled,

' An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock, in the County of Philadelphia,' read on the 15th of this month, were again read considered, and concurred in.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The Bill, entitled, "*An Act granting a Sum of Money to Chatharine Shibe, for Services rendered by her late Husband, in the revolutionary War,*" was read the

second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act laying a Tax on Dogs, in certain Counties, and for other Purposes*," was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Rahm,

To amend the section, by inserting a provision permitting one Dog to be held, without Tax, and increasing the Tax on the second Dog, from one dollar to one dollar twenty-five cents; which was not agreed to.

A motion was then made, by Mr. Wayne and Mr. Roberts,

To amend the section, by restricting the Tax to Dogs above the age of one month; which was agreed to, and the section as amended adopted.

The remaining sections and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of William Tegarden*," was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Irish,

To amend the section, so that the Annuity may be payable to Jacob Mechling, of Butler county, for the use of William Tegarden, &c.; which was agreed to.

Thereupon,

The question, Will Senate agree to the section as amended? being put, was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act authorising a Review of the State Road leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie, so far*

*as the same lies in Beaver and Mercer Counties,"* was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been amended, by striking therefrom all that follows the word 'Erie,' and agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit:*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses in which they originated, *viz.*

1. An Act to incorporate the Marine Insurance Company, of Philadelphia.

2. An Act making a new Arrangement of the Treasury Department, and enjoining certain Duties on County Commissioners.

3. An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned.

4. A Supplement to an Act, entitled, 'An Act to enable the Governor to incorporate a Company to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same.'

SIMON SNYDER.

*Lancaster, March 17, 1809.*

The Bill, entitled, "*An Act for the Relief of Joshua Williams, of Centre County,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Roberts and Mr. Lacock,

The report of the Committee of the Whole, on the said Bill, was considered and adopted; and so the Bill was lost.

The Bill, entitled, "*An Act authorising a Loan of Money from the State, to William M'Dermott,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Udree in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

On motion of Mr. Roberts and Mr. Palmer,

The Committee of the Whole was discharged from the further consideration of the Bill, entitled, "*An Act to erect Parts of Luzerne and Lycoming Counties into separate County-districts;*" and the said Bill was postponed, and recommended to the attention of Senate, at their next Session.

The Bill, entitled, "*An Act enjoining further Duties on the Judges of the Supreme Court,*" was read the second time, as reported by Committee of the Whole, on the 14th of this month, and considered by section.

Sections 1 and 2 were severally adopted.

On motion of Mr. Lacock and Mr. Laird,

The following was adopted, and called

Section 3. *And be it further enacted, by the authority aforesaid, That the Governor be, and he is hereby, required to contract with a suitable legal Character, on such terms as he may think reasonable, for 200 copies of the Reports of Cases which may be adjudged in the Courts of Law in this Commonwealth, from and after the passing of this Act; the volumes containing such Reports of Cases being neatly bound and lettered: Provided, always, That, before such contract shall be entered into, the Reports of Cases made as aforesaid, shall be approved by the Judges of the Su-*



preme Court, or a majority of them ; and a Certificate of such approbation shall accompany said work.

On motion of Mr. Lacock and Mr. Laird,

The following was adopted, and called

Section 4. *And be it further enacted, by the authority aforesaid,* That all expences incurred by the provisions of this Act shall be paid, by the Treasurer of this Commonwealth, out of any unappropriated money in the Treasury.

The title of the Bill having been amended, by adding thereto the words, ‘ and for other purposes,’ and agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

On motion of Mr. Weaver and Mr. Heston,

The Senate adjourned, till half past 3 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

Mr. Lacock presented the petition of the subscribers thereto, Pilots in the bay and river Delaware, praying that encouragement may be given, by the Legislature, to the establishment of a Telegraph, and the erection of a house for the residence of a family, on Reedy Island ; and the same was read, and

Laid upon the table.

Mr. Lacock also presented the petition of the subscribers thereto, Fishermen of the Northern Liberties, in the county of Philadelphia, stating that they are well acquainted with the situation of Reedy Island ; that the establishment of a family on that Island will very much promote the convenience of vessels sailing on the Delaware river : They therefore pray that the proposition of Jonathan Grout may be sanctioned by the Legislature. And the same was read, and

Laid upon the table.

On motion of Mr. Lacock and Mr. Weaver,

The Senate resumed the consideration of the Bill, entitled, “ *An Act granting certain Privileges to Jonathan Grout,*” postponed, for the present, on the 6th of this month ; and the question, Shall this Bill pass ? recurring, and being put, was determined in the negative.

The Clerk of the House of Representatives presented, for signature, two Bills, entitled, as follow, *to wit*:

1. An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned.

2. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid.

Whereupon,

The Speaker signed the said Bills.

On motion of Mr. Doty and Mr. Roberts,

The Senate resumed the consideration of the Bill, entitled, "*An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.*"

The consideration of section 1 recurring, and the amendment proposed thereto, on the 16th of last month, being again under consideration, was adopted.

The section, after some verbal amendments being made therein, was adopted.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Miller and Mr. Campbell,

The Senate resumed, in Committee of the Whole, Mr. Laird in the chair, the consideration of the Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water.*"

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

Adjourned, till 10 o'clock tomorrow morning.

Saturday, March 18, 1809.

The Speaker laid before the Senate a letter, from the Secretary of the Commonwealth, informing that he had laid before the House of Representatives sundry depositions, cross-examinations, and documents, taken in the case of Michael Lynch, Esquire, one of the Justices of the Peace in Chester county, before John Ralston, Esquire, an Associate Judge of the said county; which was read, and

Laid upon the table.

Mr. Laird presented the petition of the subscribers thereto, Millers, Owners, and Agents, holding large quantities of stale or sour Flour, stating that in consequence of the suspension of trade, by the embargo, the exportation of flour and grain was prohibited; that the quantity of flour now on hand is too great for home-consumption; and, under the existing Laws for the Inspection of Flour, would be condemned as unsound. The petitioners pray that a Law may be passed, authorising the exportation thereof, as condemned flour. And the said petition was twice read, and referred to Mr. Laird, Mr. Palmer, and Mr. Dorsey, to consider and report thereon.

The Bill, entitled, "*An Act granting a Sum of Money to Catharine Shibe, for Services rendered by her late Husband, in the revolutionary War,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act laying a Tax on Dogs, in certain Counties, and for other Purposes,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the

said Bill with amendments; in which the concurrence of that House is requested.

Which amendments are; that Dogs, under 1 month of age, shall not be taxed; and that Dogs, seen worrying Sheep, may be killed; with two other amendments merely verbal.

The Bill, entitled, "*An Act authorizing a Review of the State Road leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act enjoining further Duties on the Judges of the Supreme Court, and for other Purposes,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

Which amendments are; that the Act shall not operate after a company shall have been incorporated, for making a Turnpike from Harrisburg, through Lewis-town, to Pittsburg (see Journal, February 16); with some verbal amendments.

The Bill, entitled, "*An Act authorizing a Loan of Money from the State, to William M'Dermott,*" was read the second time, as reported by Committee of

the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for the Purpose of supplying the Borough of York with Water,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 was agreed to.

Section 2 being under consideration,

A motion was made, by Mr. Miller and Mr. Laird,

That the section be amended, by adding thereto the following proviso :

"*Provided*, That the clear yearly income of said real estate shall not, at any time, exceed three thousand dollars."

Which was agreed to, and the section as amended adopted.

Section 3 being under consideration,

A motion was made, by Mr. Roberts and Mr. Doty,

To postpone the consideration thereof, for the present, in order to introduce the following, to be called

Section 3. *And be it further enacted, by the authority aforesaid*, That the capital stock of said company shall never exceed 5000 dollars. All advances or payments, made by said company, shall be made in specie, or notes of some incorporated Bank. And the said company shall not have power or authority to issue notes, in the nature of cash or bank notes, inland or foreign bills of exchange, or in any manner receive deposits of money, or discount any notes, after the manner of any Bank or Banks; nor shall they be allowed to deal in any articles of merchandize or stock, or carry on any kind of business whatever, directly nor indirectly, other than supplying the borough of York with water, for domestic purposes and the suppression of conflagration.

The question, on the motion to postpone, being put, was determined in the affirmative.

Whereupon,

The Yeas and Nays on the question, on adopting the proposed section, were required by Mr. Roberts and Mr. Doty; and, on the question being put, the Members voted as follow, *to wit*:

YEAS.  
Messrs. Blocher,  
Bright,  
Dorsey,  
Doty,  
Irish,  
Lacock,  
Laird,

NAYS.  
Messrs. Borrows,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

YEAS.  
Messrs. M'Arthur,  
Palmer,  
Preston,  
Rahm,  
Roberts,  
Udree,  
Lane (*Speaker*). 14.

NAYS.  
Messrs. Mayer,  
Miller,  
Rankin,  
Slaymaker,  
Wayne,  
Weaver. 12.

Fourteen Yeas, twelve Nays; by which it appeared that the question was determined in the affirmative.

Section 3 in the Bill as printed, now section 4, was disagreed to.

Whereupon,

On motion of Mr. Roberts and Mr. Rahm,

The further consideration of the said Bill was postponed, generally.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company to make an Artificial Road, from the Town of Hanover, in the County of York, to the Borough of Carlisle,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Bill, entitled, "*An Act granting an Annuity to Joseph Rann,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

The Bill, entitled, "*An Act dissolving the Marriage of Richard Lott and Lucy his Wife,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

On motion of Mr. Weaver and Mr. Campbell,

The said Bill, as reported by Committee of the Whole, was considered by section, and agreed to.

The preamble and title were severally agreed to.

Thereupon,

The Yeas and Nays on the question, Shall this Bill be prepared for the third reading? were required by Mr. Roberts and Mr. Wayne; and, the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Blocher,  
Borrows,  
Bright,  
Campbell,  
Doty,  
Erwin,  
Heston,  
Irish,

NAYS.

Messrs. Dorsey,  
Gres,  
Lattimore,  
Mayer,  
M'Arthur,  
Preston,

YEAS.

Messrs. Lacock,  
Laird,  
Miller,  
Palmer,  
Rahm,  
Slaymaker,  
Weaver. 15.

NAYS.

Messrs. Rankin,  
Roberts,  
Stevenson,  
Udree,  
Wayne,  
Lane (*Speaker*). 12.

**Fifteen Yeas, twelve Nays ; by which it appeared that the question was determined in the affirmative.**

The Clerk of the House of Representatives presented, for signature, the Bill, entitled,

**‘ An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock, in the County of Philadelphia.’**

Whereupon,

The Speaker signed the said Bill.

Adjourned, till 10 o'clock Monday morning.



**Monday, March 20, 1809.**

The Speaker laid before the Senate a letter, from Horace Binney, together with a copy of his “ Reports of Cases adjudged in the Supreme Court of Pennsylvania,” for the Library of the Senate ; and the said letter was read, and

Laid upon the table.

Mr. Laird, from the Committee to whom was referred, on the 18th of this month, the petition of the Miller’s, &c. on leave now given, reported the Bill, entitled, “ *An Act supplementary to the Act, entitled, ‘ An Act to prevent the Exportation of Bread and Flour, not merchantable, and for repealing, at a certain Time, all the Laws heretofore made for that Purpose, and the several Supplements thereto ;’*” which was read the first time.

The Bill, entitled, “ *An Act authorising a Loan of Money from the State, to William M’Dermett,*” was read the third time.

Whereupon,

The question, Shall this Bill pass ? being put, was determined in the affirmative.

**Ordered,** That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, “ *An Act dissolving the Marriage of Richard Lott and Lucy his Wife,*” was read the third time.



Whereupon,

A motion was made, by Mr. Wayne and Mr. Dorsey,

To postpone the further consideration of the said Bill, generally; which was agreed to.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company to make an Artificial Road, from the Town of Hanover, in the County of York, to the Borough of Carlisle,*" was read the second time, as reported by Committee of the Whole, on Saturday, considered by section, and agreed to.

The title of the Bill having been agreed to,

*Ordered*, That it be prepared for the third reading.

The Bill, entitled, "*An Act granting an Annuity to Joseph Rann,*" was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of John Boyls, a Sergeant in the late revolutionary War,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Bright in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, three Bills, entitled, respectively as follow, *to wit*:

1. An Act establishing an Academy in the Borough of Harrisburg, in the County of Dauphin.

2. An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, near the mouth of Yellowcreek.

3. An Act to empower John Knauß and Paul Lerch, Administrators of Paul Knauß, deceased, to convey two Tracts of Land in the County of Northampton.

And, for signature, the Bill, entitled,  
 ‘An Act granting a Sum of Money to Catharine Shibe, for services rendered by her late Husband, in the revolutionary War.’

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled, “*An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.*”

The Speaker signed the Bill presented for signature.

The Bills presented for concurrence were severally read the first time.

The Bill, entitled, “*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the Susquehanna, in the County of Lancaster, at or near the Town of Columbia,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

On motion of Mr. Weaver and Mr. Lacock,

The Senate adjourned, till half past 3 o'clock this afternoon.

SAME DAY, IN THE AFTERNOON.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Stevenson in the chair, the consideration of the Bill, entitled, “*An Act for the Relief of Giles M'Dowel.*”

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Weaver and Mr. Lacock,

The Senate proceeded to the consideration of the report of the Committee of the Whole, on the said Bill.

Whereupon,

The Yeas and Nays, on adopting the same, were required by Mr. Roberts and Mr. Wayne; and, on the

question being put, the Members voted as follow,  
to wit:

## YEAS.

Messrs. Blocher,  
Campbell,  
Dorsey,  
Doty,  
Erwin,  
Heston,  
Irish,  
Lacock,

## NAYS.

Messrs. Borrows,  
Bright,  
Gress,  
Lattimore,  
Mayer,  
Palmer,

## YEAS.

Messrs. Laird,  
M'Arthur,  
Miller,  
Mitchell,  
Rankin,  
Stevenson,  
Weaver,  
Lane (*Speaker*). 16.

## NAYS.

Messrs. Preston,  
Rahm,  
Roberts,  
Slaymaker,  
Udree,  
Wayne. 12.

Sixteen Yeas, twelve Nays; by which it appeared that the question was determined in the affirmative; and so the Bill was lost.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act' for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties,*" passed the 29th Day of March, 1803;" was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

On motion of Mr. Lacock and Mr. Laird,

The Senate resumed the consideration of the Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway, opposite the Plantation of Thomas Grant, to Shamokin Island, through the Public Highway of Shamokin island to the Shore, opposite Northumberland, and from thence to the Town of Northumberland.*"

The consideration of section 10 recurring, was adopted.

The remaining sections and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An additional Supplement to the Act, entitled, 'An Act to empower the Wardens of the City of Philadelphia to extend the Markethouse, in Highstreet, from Third to Fourthstreet, from Delaware River, and to continue the same, from Time to Time, westwardly, from one Street to another, in the Middle of Highstreet, as the Wardens of the said City shall think necessary, and for other Purposes therein mentioned;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

On motion of Mr. Preston and Mr. Weaver,

The said Bill was considered by section.

Section 1 was agreed to.

Section 2 being under consideration,

A motion was made, by Mr. Wayne and Mr. Roberts,

To amend the section, by striking from line 14 these words; 'the Produce of their own Farms, or;' and required the Yeas and Nays on the motion.

Thereupon,

The question, Will Senate agree to strike out? being put, the Members voted as follow, *to wit*:

YEAS.

Messrs. Blocher,  
Borrows,  
Campbell,  
Dorsey,  
Doty,  
Irish,  
Lacock,

YEAS.

Messrs. Lattimore,  
Mayer,  
M'Arthur,  
Miller,  
Mitchell,  
Palmer,  
Rahm,

## YEAS.

Messrs. Rankin,  
Roberts,  
Slaymaker,

## NAYS.

Messrs. Erwin,  
Heston,  
Laird,

## YEAS.

Messrs. Wayne,  
Weaver,  
Lane (*Speaker*). 20.

## NAYS.

Messrs. Preston,  
Udree. 5.

Twenty Yeas, five Nays; by which it appeared that the question was determined in the affirmative.

The section as amended was adopted.

The remaining section, with the title, having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On motion of Mr. Borrows, and Mr. Irish;

The Senate resumed the consideration of the Bill, entitled, "*An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg*;" postponed, for the present, on the 1st of this month.

The consideration of the amendment, offered by Mr. Wayne and Mr. Doty, in the first section, recurring,

Thereupon,

The question, on adopting the same, being put, was determined in the negative.

The section was adopted.

The remaining sections, with the preamble and title, having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act appropriating a Sum of Money for erecting a Bridge over Turtlecreek, in the County of Allegheny, where the State Road from Philadelphia to Pittsburg crosses the same*," was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Roberts in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, four Bills, entitled, respectively as follow, *to wit*:

1. An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock in the County of Philadelphia.

2. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid.

3. An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned.

4. An Act granting an Annuity to John M'Dowel.

Adjourned, till 10 o'clock tomorrow morning.

—:o:~:o:—

Tuesday, March 21, 1809.

The Bill, entitled, "*An Act to enable the Governor to incorporate a Company, to make an Artificial Road, from the Town of Hanover, in the County of York, to the Borough of Carlisle,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with an amendment; in which the concurrence of that House is requested.

Which amendment is, to insert the following names, as Commissioners to receive subscriptions, *viz.*

William Harkness, jun. James Nealy, John Arnold, and Michael Slagle.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties,' passed the 29th March, 1803;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act granting an Annuity to Joseph Kamm,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the negative.

The Bill, entitled, "*An additional Supplement to the Act, entitled, 'An Act to empower the Wardens of the City of Philadelphia to extend the Markethouse, in Highstreet, from Thirdstreet to Fourthstreet, from Delaware River, and to continue the same, from Time to Time, westwardly, from one Street to another, in the Middle of Highstreet, as the Wardens of the said City shall think necessary, and for other Purposes therein mentioned;'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant, to Shamokin Island, through the Public Highway of Shamokin Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

Which amendments are:

1. Reduce the price of shares, from 50 dollars to 25; and increase the number of shares of the stock of the company, from 1600 to 3200.

2. The company to be incorporated, when 2400 shares are subscribed.

3. No Stockholder to have more than 5 votes, at the company elections.

4. Reduce the Toll, for horned cattle passing over the Bridge, from  $6\frac{1}{4}$  to 3 cents each; and insert a proviso, that Toll shall not be demanded from persons going to funerals, or Militiamen going to or returning from training.

5. If the Tolls do not yield 6 per cent on the capital expended, they may be increased so as to produce 6 per cent; but never to exceed 15 per cent.

6. Introduce a new section, to be numbered 14, imposing a penalty on persons maliciously injuring the Bridge or any part thereof, or impeding the passage over it.

7. Extend the term for completing the work, from seven to ten years.

8. Strike out the preamble.

The remaining amendments are merely verbal.

The Bill, entitled, "*An Act to incorporate the President and Directors of the Waterpipes, in Acronsborg,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

The amendments are merely verbal.



The Clerk of the House of Representatives presented, for concurrence, four Bills, entitled, respectively as follow, *viz.*

1. An Act for the Relief of Thomas Campbell.
2. An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned.
3. An Act to afford immediate Relief to John Hutton, a Soldier during the revolutionary War, and to grant him an Annuity.
4. An Act for the Relief of William M'Kibben.

And he presented, for signature, the Bill, entitled, 'An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.'

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bill presented for signature.

The Bill, entitled, "*An Act appropriating a Sum of Money, for erecting a Bridge over Turtlecreek, in the County of Allegheny, where the State Road from Philadelphia to Pittsburg crosses the same,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Roberts; and, on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Blocher,  
Campbell,  
Dorsey,  
Irish,  
Lacock,  
Lattimore,

NAYS.  
Messrs. Borrows,  
Bright,  
Doty,  
Erwin,  
Laird,  
Mayer,  
Miller,

YEAS.  
Messrs. M'Arthur,  
Palmer,  
Stevenson,  
Wayne,  
Weaver,  
Lane (*Speaker*). 12.

NAYS.  
Messrs. Preston,  
Rahm,  
Rankin,  
Roberts,  
Slaymaker,  
Sommer,  
Udree. 14.

Twelve Yeas, fourteen Nays; by which it appeared that the question was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act for the Relief of John Boyls, a Sergeant in the late revolutionary War,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble, with one verbal amendment, was agreed to.

The title being amended, by striking therefrom the words, 'for the relief of,' and inserting, in place thereof, 'granting an Annuity to,' and agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On leave given, Mr. Dorsey read a Resolution in his place, and by permission presented the same to the Chair; which was read as follows, *viz.*

*Resolved*, by the Senate and House of Representatives, &c. That our Senators in Congress be instructed, and our Representatives requested, and they are hereby so instructed and requested, to use their influence to procure the passing a Law, establishing Weights and Measures.

*Resolved*, That the Governor be, and he is hereby, requested to transmit a copy of this Resolution to the Executive of the United States, in order that it may be presented to Congress, at their next Session.

On leave given, Mr. Roberts read a Resolution in his place, and by permission presented the same to the Chair; which was read as follows, *viz.*

*Resolved*, by the Senate and House of Representatives, &c. That it shall be the duty of the Joint Committee who are, or hereafter may be, appointed to compare transcribed Bills, to determine what Laws and Resolutions are proper to be published in the public Papers, and to signify the same in writing, at the end of every such Law or Resolution; and also to specify in writing, upon said Laws and Resolutions, the public Papers wherein the same shall be inserted, and for what length of time. And it shall be, and hereby is made, the duty of the Secretary of the Commonwealth to cause

to be published, at the public expence, the Laws and Resolutions so designated, and in the Papers so specified, and no other Law or Resolution.

The Bill, entitled, "*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the Susquebanna, in the County of Lancaster, at or near the Town of Columbia,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act granting a Tract of Donaiton-land, for the Use of the Widow and Children of Edward Beeby, deceased,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rankin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Roberts and Mr. Rahm,

The report of the Committee of the Whole, on the said Bill, was considered and adopted; and so the Bill was lost.

On leave given, Mr. Dorsey read a Resolution in his place, and by permission presented the same to the Chair; which was read as follows, viz.

*Resolved, by the Senate and House of Representatives, &c.* That the Secretary of the Commonwealth be, and he is hereby, authorised to subscribe for and procure copies of a Book, containing all the English Statutes in force in Pennsylvania, according to Proposals issued by John Binns: *Provided*, That the same can be procured at a price not exceeding        cents for each copy; and that, on receiving the same, the said Secretary is hereby further authorised to deliver to each Member of the Legislature, and to each of the Officers of the Government of this Commonwealth, one copy.

The Bill, entitled, "*An Act providing for the Settlement of Accounts of Lottery Commissioners, and others concerned in Lotteries,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

On motion of Mr. Roberts and Mr. Wayne;

The Senate adjourned, till 3 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

Mr. M'Arthur, from the Committee to whom was referred, on the 15th of December, the petition of the subscribers thereto, inhabitants of Crawford county, on leave now given, reported the Bill, entitled, "*An Act authorising and directing the Governor to incorporate a Company, for erecting a Toll Bridge over Frenchcreek, near the Town of Meadville, in the County of Crawford;*" which was read the first time.

Mr. Wayne, from the Committee to whom was referred, on the 10th of this month, the petition of the heirs of Adam Rickabach, deceased, on leave now given, reported the Bill, entitled, "*An Act for the Relief of the Heirs of Adam Rickabach;*" which was read the first time.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia;'*" was read the second time, considered by section and agreed to.

The preamble and title having been agreed to,  
Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act authorising the President, Adjuntas, and Members of the Hebrew Congregation, of the City of Phila-*

*delphia, to raise, by Way of Lottery, a Sum of Money for the Repair of their Synagogue, and Burial-place, and for other Purposes of Relief;*" was read the second time, considered by section, and agreed to.

The title of the Bill, having been agreed to,  
*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark,'*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Laird and Mr. Stevenson,  
The Senate reconsidered their vote on the question, Shall the Bill, entitled, "*An Act granting certain Privileges to Jonathan Grout,*" pass? decided on the 17th of this month; and the said question recurring, and being put, was determined in the affirmative.

*Ordered*, That said Bill be returned to the House of Representatives, with information that Senate have passed the same with amendments; in which the concurrence of that House is requested. Which amendments are:

1. Make section 1 read as follows: *Be it enacted, &c.* That the use of all that part of Reedy Island, the property of this Commonwealth, be and hereby is granted unto Jonathan Grout, his heirs and assigns, being citizens of the United States, as a telegraphic Station until otherwise directed by Law.

2. Strike out the remainder of the Bill.

On motion of Mr. Weaver and Mr. Dorsey,  
The Committee of the Whole was discharged from the further consideration of the Bill, entitled, "*An Act for the Relief of the Keeper of the Debtors' Prison.*"

And the said Bill being under consideration, the section thereof was agreed to.

The title being amended, so as to read, "*An Act increasing the Salary of the Keeper of the Debtors' Prison, in the City of Philadelphia,*" and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

On motions, severally made, the following Committees were discharged from the consideration of the subjects referred to them, *viz.*

The Committee appointed, December 8, to consider and report what Laws will expire, by their own limitation, previously to the next meeting of the Legislature.

On the petition of the Commissioners of Luzerne county, relative to the Acts regulating Costs on Indictments; appointed December 14.

On the proposition for classing the Senators returned under the last Enumeration; appointed January 6.

To bring in a Bill to regulate the practice of Physic; appointed January 12.

On the petition of David Moore; appointed February 17.

On the Bill relating to Foreign Attachments; appointed February 4.

Whereupon,

The said Bill was postponed, generally.

Adjourned, till 10 o'clock tomorrow morning.

—:o:o:~:o:o:—

Wednesday March 22, 1809.

The Bill, entitled, “*An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was dermined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. Which amendments are:

1. Reduce the number of votes, to be allowed to Stockholders, from 20 to 5.

2. Add to section 8 a provision, that the company shall not be authorised to erect the Bridge, without the consent of the Owners of land on each side the river; and that the Bridge shall not obstruct the navigation of the river.

3. Add to section 10 a proviso, that persons going to and returning from funerals, and military trainings, shall be exempted from Toll.

4. Introduce a new section, to be numbered 13, imposing a penalty on persons maliciously injuring the Bridge, &c. or obstructing the passage over it.

5. If the profits of the company will not produce 6 per cent per annum, on the capital stock, the Tolls may be raised; but the nett product never to exceed 15 per cent per annum.

6. Strike out the preamble.

The remaining amendments are merely verbal, and making some alteration in the rates of Toll, in certain cases.

The Bill, entitled, "*An Act for the Relief of John Boyls, a Sergeant in the late revolutionary War,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

Which amendments are merely verbal;

And to amend the title, by striking therefrom the words 'for the relief of;' and insert, 'granting an Annuity to.'

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

**Ordered,** That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*A Supplement to the Act, entitled, 'An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

**Ordered,** That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act authorising the President, Adjuntas, and Members of the Hebrew Congregation, of the City of Philadelphia, to raise, by Way of Lottery, a Sum of Money, for the Repair of their Synagogue and Burial-place, and for other Purposes of Relief;'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

**Ordered,** That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act increasing the Salary of the Keeper of the Debtors' Prison, of the City of Philadelphia,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

**Ordered,** That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise Joseph Smith and Sons to keep in Repair a Wing-dam, on the west Side of the River Delaware, in Bucks County,'*" was read the second time.

Whereupon,

On motion of Mr. Lacock and Mr. Erwin,

The further consideration of the said Bill was postponed; and recommended to the attention of Senate, at their next Session.



The Resolutions, relative to the Mandamus of the Supreme Court of the United States, in the case of Gideon Olmstead, were read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Resolutions with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the Houses respectively in which they originated, *viz.*

1. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flatrock in the county of Philadelphia.

2. An Act granting an Annuity to John M'Dowel.

3. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid.

4. An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned.

SIMON SNYDER.

*Lancaster, March 22, 1809.*

The Bill, entitled, "*An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safeharbor, at the Mouth of Conestoga Creek, through*

*the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible;"* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill without amendment.

The Bill, entitled, "*An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Preston in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Wayne in the chair, the consideration of the Bill, entitled, "*An Act to provide for the Settlement of Accounts of Lottery Commissioners, and others concerned in Lotteries.*"

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Bill, entitled, "*An Act authorising the County Commissioners to exempt from Taxation, in certain Cases, the Property of religious, literary, and charitable Societies,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Roberts and Mr. Dorsey,

The Senate considered the Report of the Committee of the Whole, on said Bill.

Whereupon,

The Yeas and Nays, on agreeing thereto, were required by Mr. Dorsey and Mr. Roberts; and, on the question being put, the Members voted as follow, *viz.*

YEAS.	YEAS.
Messrs. Blocher, Borrows, Campbell, Doty, Erwin, Heston, Irish, Lattimore, Mayer, M'Arthur, Miller,	Messrs. Palmer, Preston, Rahm, Rankin, Roberts, Slaymaker, Sommer, Stevenson, Wayne, Weaver, Lane ( <i>Speaker</i> ). 22.
NAYS.	NAYS.
Messrs. Dorsey, Laird,	Mr. Udree. 3.

Twenty-two Yeas, three Nays; by which it appeared that the question was determined in the affirmative; and so the Bill was lost:

The Clerk of the House of Representatives informed, that that House have concurred in the amendments, by Senate, to the Bills, entitled, respectively as follow, *viz.*

1. An Act granting certain Privileges to Jonathan Grout.

2. An Act authorising the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant, to Shamokin Island, through the Public Highway of Shamokin Island, to the Shore opposite Northumberland, and from thence to the Town of Northumberland.

3. An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.

4. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

He returned the Bill, entitled,

‘An Act to authorise the Governor to appoint Commissioners, for the laying out a Road, beginning at or near Kello’s Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington.’

And informed, that the House of Representatives have passed said Bill without amendment.

He presented, for concurrence,

‘A Resolution, directing a certain Number of the General Election-laws to be printed.’

And, for signature, two Bills, entitled, as follow:

1. An Act authorising a Loan of Money from the State, to William M’Dermett.

2. A Supplement to the Act, entitled, ‘An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties,’ passed the 29th Day of March, 1803.

The Resolution presented for concurrence was read the first time.

The Speaker signed the Bills presented for signature.

The Bill, entitled, “*An Act authorising the Officers of the Land-office to grant James M’Kissick a Credit for certain Monies, by him paid, in Part of patenting his Land,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Udree in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Roberts and Mr. Miller,

The report of the Committee of the Whole, on said Bill, was considered and adopted; and so the Bill was lost.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, as follow, *viz.*

1. An Act granting a Sum of Money to Catharine Shibe, for Services rendered by her late Husband, in the revolutionary War.

2. An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.

Adjourned, till 10 o'clock tomorrow morning.



Thursday, March 23, 1809.

Mr. Campbell presented the petition of Samuel Brady, of Indiana county, stating his services and sufferings in the revolutionary War, and praying relief; and the said petition was twice read, and referred to Mr. Campbell, Mr. Miller, and Mr. Erwin, to consider and report thereon.

Mr. Irish presented the petition of Christopher M'Michael, of Butler county, stating his services and sufferings in the late revolutionary War, and praying relief; and the said petition was twice read, and referred to Mr. Irish, Mr. Stevenson, and Mr. Borrows, to consider and report thereon.

Mr. M'Arthur read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act appropriating a Sum of Money, for making the Navigation of Frenchcreek more safe and certain;*" which was read the first time.

The Resolutions, "relative to the Mandamus of the Supreme Court of the United States, in the case of Gideon Olmstead," were read the second time, as reported by Committee of the Whole, yesterday, and considered separately.

The first Resolution being under consideration,

A motion was made, by Mr. Sommer and Mr. Roberts,

To postpone the consideration thereof, for the present, in order to introduce a preamble, as follows, *viz.*

Whereas the Governor, in a communication to the Legislature, has represented, that the Supreme Court of the United States had ordered a peremptory Mandamus to be issued, in the suit of Gideon Olmstead and others, *versus* Elizabeth Sergeant and Esther Waters, Executrixes of the late Mr. Rittenhouse; and that immediate application will be made to Richard Peters, Judge of the District Court of Pennsylvania, for an execution against the persons and effects of the said Elizabeth Sergeant and Esther Waters; or that, rather, an attachment against their persons will be the compulsory process adopted on the occasion. And that, in conformity to the provisions of an Act of Assembly, passed the 2d of April, 1803, it becomes the duty of the Executive to protect the property and persons of the said Executrixes, against such process.

And whereas the causes and reasons which have produced this conflict, between the General and State Governments should be made known; not only that the State may be justified to her Sister States, who are equally interested in the preservation of the State Rights; but to evince to the Government of the United States, that the Legislature, in resisting encroachments on their rights, are not acting in a spirit of hostility to the legitimate powers of the United States' Courts; but are actuated by a disposition to compromise, and to guard against future collisions of power, by an amendment to the Constitution: And that, whilst they are contending for the rights of the State, it will be attributed to a desire of preserving the Federal Government itself; the best features of which must depend upon keeping up a just balance, between the General and State Governments, as guaranteed by the Constitution.

Be it therefore known, that the present unhappy dispute has arisen out of the following circumstances:

That, in the night of the 6th of September, 1778, Gideon Olmstead, being a prisoner on board the armed sloop Active, bound to Newyork, on the passage, prevailed on three of the Seamen, to assist him in endeavouring to take the said sloop from the Captain and the rest of the crew, and to carry her into an American

port. In pursuance of this bold and hazardous design, they secured the Captain and crew under deck, and contemplated running the sloop into Eggharbor. A considerable contest then arose between those under, and those on deck, for the command of the vessel.

On the 8th of September, they were boarded by the brigantine Convention, fitted out by the State of Pennsylvania, commanded by Captain Thomas Houston, and, in a very short time after the sloop Active was thus seized by the Convention, the privateer sloop Le Gerard, of Philadelphia, commanded by Captain James Josiah, hove in sight.

The prize was brought into the port of Philadelphia, and was libelled in the Court of Admiralty of the State on the 14th of September. Captain Thomas Houston, for the State, himself, and crew, claimed one-half; Captain James Josiah, commander of the privateer sloop Le Gerard, for himself, crew, and Owners, as consort of the Convention, and as in fight at the time of the capture, claimed one-fourth; allowing one-fourth for the four persons who first rose upon the crew of the sloop Active; Gideon Olmstead and his companions claimed the whole, alleging that they had risen on the Captain and crew, had confined them in the cabin, had assumed the sole command and direction of the sloop, and were proceeding towards Eggharbor, with the Captain and crew subjected and reduced, when the said sloop was seized by the brigantine Convention.

And the great question for decision was, whether Gideon Olmstead had subdued the Captain and crew of the Active, or whether hostilities had ceased, when the Convention and Le Gerard came up with her.

The Court of Admiralty is the appropriate Court for the trial and decision of all causes of prize. But how that Court shall be constituted, must depend upon the will of the Nation or State to which it belongs. The Legislature are, however, inclined to believe, that the interposition of a Jury in admiralty causes was peculiar to some of the American States, and a remarkable instance of a departure from the usage of

Nations. It was, however, bottomed on the following Resolution of Congress, of November 25, 1775 :

‘ That it be recommended to the several Legislatures in the United Colonies, as soon as possible, to erect Courts of Justice, or give jurisdiction to the Courts now in being, for the purpose of determining concerning the captures to be made as aforesaid ; and to provide that all trials, in such case, be had by a Jury, under such qualifications as to the respective Legislatures shall seem expedient. That, in all cases, an appeal shall be allowed to the Congress, or such person or persons as they shall appoint for the trial of appeals,’ &c.

By an Act of Assembly of Pennsylvania, passed September 9, 1778, a Court of Admiralty was established. The trial was to be by Jury, who were to be sworn or affirmed, ‘ to return and give a true verdict according to evidence ; and the finding of the said Jury, shall establish the facts, without re-examination or appeal.’

‘ In all causes of captures, an appeal from the decree of the Judge of Admiralty, of this State, shall be allowed to the Continental Congress, or such person or persons as they may from time to time appoint for hearing and trying appeals,’ &c.

On the 4th of November, 1778, the cause came on to be tried before a Struck Jury, who, after hearing all the exhibits, and the arguments of the respective advocates thereon, and taking time to consider thereof, on the following day returned their verdict, finding ‘ one-fourth part of the nett proceeds of the sloop Active and her cargo to the first claimants (Gideon Olmstead and others) and three-fourth parts of the nett proceeds of the said sloop and her cargo to the libellant (Captain Houston) and the second claimant (Captain Josiah) as per agreement between them.’

The Jury thus decided the great and important fact, ‘ That hostilities had not ceased on board the sloop Active at the time the brigantine Convention came up with her ; in other words, that the Captain and crew had not been then subdued.’ The Judge made his decree accordingly ; and the same day Gideon Olmstead and the three Seamen appealed from the verdict, decree, and sentence.



At this period, no Court of Appeals had been established under the authority of Congress, or in pursuance of the Articles of Confederation, of the 9th of July, 1778. But Committees of Appeals had been from time to time appointed, consisting of Members of Congress. By the 9th Article of Confederation, Congress was vested with power of 'appointing Courts for the trial of piracies, and felonies committed on the high seas, and establishing Courts for receiving and determining finally appeals, in all cases of captures: *Provided*, That no Member of Congress shall be appointed a Judge of any of the said Courts.'

The time, when Pennsylvania acceded to the Confederation, is perhaps immaterial. It was not finally adopted by all the States, and ratified, until the 1st March, 1781. It is therefore to be presumed, that the Committee of Appeals, as appointed by Congress, was competent, as to authority, even under the provision of our own Law; as no objection appears ever to have been suggested on this head.

But as to the authority, or extent of the jurisdiction of the Committee of Appeals, a difference of opinion has arisen among the wisest and best-informed of our citizens; and this question, of mighty moment indeed, has agitated all Pennsylvania for thirty years.

If the Committee of Appeals had authority to reverse facts which had been already established by the verdict of a Jury, there was an end of the question. Their decree was conclusive and final: It could not be opened or reviewed; and it ought to have been carried into effect.

But Pennsylvania has uniformly, by all her public Acts, denied the authority of the Court of Appeals to re-examine or control the verdict of the Jury. The decision of a State is always important, and of infinite weight in comparison with mere private opinion; an assertion of her right was an obvious consequence. And an attempt to interfere with that right, *ex parte*, cannot fail to call forth, on her part, feelings of the deepest regret.

It is true, that Congress, with the approbation and acquiescence of the People, exercised the power of

war and peace ; and, however imperfect their sovereignty might have been, they administered it with glory and advantage to the United States. It is equally true, they commissioned privateers to cruise against the enemy ; and to this high power, it is said, the question of prize is incidental. And if it would result from this, that they had power to establish Courts of Admiralty ; yet it is equally clear, they did not exercise this power ; and by the Articles of Confederation it was not vested in them ; but merely the power to establish a Court of Appeals, in cases of captures ; although, by the same instrument, they had power ' to establish Courts for the trial of piracies, and felonies upon the high seas, and the right of establishing Rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes, taken by land or naval forces in the service of the United States, shall be divided or appropriated.'

And, whatever construction might have been had, if the decree of reversal had been in the Court established after the Confederation ; yet, in 1778, it had no binding force ; nor did they profess to act under it. Courts of Admiralty, for the trial of captures, or the Prize-court, could, then, be established only by the respective States.

Congress recommended to the several States to establish Courts of Admiralty ; and to provide that all trials in such case be had by a Jury, under such qualifications, as to the respective Legislatures shall seem expedient ; reserving, in all cases, an appeal to Congress, &c.

However incidental the question of prize, or cases of captures, may be to sovereign power, the principle cannot apply in its full extent to the imperfect sovereignty exercised by the United States. Their authority was gradually acquired by the consent or acquiescence of the States ; and where it was thus acquired, the exigencies of the new-formed Union required that it should be deemed legitimate, though never expressly assented to. The power of establishing Courts of Admiralty they never assumed. The inference therefore is forcible, that they had not the power : Or

why recommend to the States to establish Courts of Admiralty; if, by virtue of their newly-acquired sovereignty, they could, themselves, have established them?

If they could not erect Courts of Admiralty-jurisdiction, in the first instance; they could not, without the consent of the State, erect the appellate Court. The State which established the Admiralty Court, must likewise possess the power to regulate the appellate jurisdiction from its decrees. And by the assent of the State, the appellate jurisdiction was, at their own requisition, given to Congress; where the interest and safety of the Union required it should be deposited; but under certain restrictions.

The Admiralty Court, being the Court of all Nations, has, by the usage of Nations, been governed by the rules and principles of the Civil Law. It has always proceeded without a Jury; and, from its decrees on an appeal, the Facts as well as the Law have always been subject to a re-examination. But, when Congress recommended the decision of facts in that Court by a Jury, strangely departing from the usage of Nations, the consequence inevitably followed, that the facts, established by the Jury, could never be re-examined on an appeal. The party dissatisfied might have applied for a new trial; but there is no other way of reversing the facts determined by a Jury.

When, therefore, Congress recommended, that the trial in such cases should be by Jury; from the uniform course of proceeding in such trials, it is at least presumable they did not intend, by reserving an appeal, that the facts should be re-examined; and the only fair or consistent construction would be, that there should be an appeal on points of Law appearing on the record. That such was the intention of the Legislature of Pennsylvania is beyond doubt, when they declared, 'that the finding of the Jury shall establish the facts, without re-examination or appeal;' and although, by the same Act, they gave an appeal to Congress, it cannot be absurdly supposed that they meant to contradict and destroy the principle they had, at the same instant, so solemnly declared and adopted.

The question itself to be tried was a mere Fact, 'Who captured the sloop Active?' The Jury decided that Fact. They could judge of the circumstances, as well as the credit or credibility of the Witnesses. If their decision, therefore, was not to be conclusive, but to be open to a re-examination, on an appeal, before a Committee of Congress, in the shape of a Court of Appeals, the Jury-trial was a solemn mockery, calculated for expence and trouble; but productive of no good.

In the case of Ross and Rittenhouse, the Chief Justice declared, 'that the genius and spirit of the Common Law will not suffer a sentence of the lowest Court, founded on a general verdict, to be controlled or reversed by the highest jurisdiction, unless for error in matter of Law apparent upon the face of the record.' And the same Chief Justice was also of opinion, that the principle was fortified by the Resolution of Congress, of January 15, 1780, 'That the trials in the new Court of Appeals should be according to the usage of Nations, and not by Jury.'

And, on the 31st of the same month, accordant with this Resolution, the Legislature of Pennsylvania appeared to have been willing, for the future, to change the practice; for they resolved, 'that if the mode of trial by Jury (in cases of captures) as recommended by Congress, is found inconvenient to the circumstances of the United States, as being a mode unknown to most of the civilized States of Europe, this House is desirous of conforming to the customary practice.'

But notwithstanding this mode of reasoning, the Committee of Appeals undertook to re-examine the whole case: They set aside the verdict of the Jury, reversed the sentence of the Judge of the Admiralty, and decreed the whole proceeds of the prize to the appellants, with costs. The Judge of the Admiralty refused to carry this decree into effect; and, on the 28th of December, further decreed, 'that, although the Court of Appeals have full power to alter or set aside the decree of the Judge of this Court; yet that the finding of the Jury, in the cause, does establish the

**facts in the cause without re-examination or appeal; and therefore, the verdict of the Jury still standing and being in full force, the Court cannot issue any process, or proceed in any manner whatsoever, contradictory to the finding of the said Jury.' And he ordered the money to be brought into Court, there to remain ready to abide the further order of the Court therein.**

Here, then, began the great contest for jurisdiction. On the 4th of January, 1779, the Committee of Appeals issued their injunction to the Marshal to detain the money in his custody, to wait the further orders of the Court. The Marshal, notwithstanding, paid the money to the Judge of the Admiralty, in obedience to the decree of that Court. The Committee of Appeals would proceed no further; but ordered to be entered on record, 'that, as the Judge and Marshal of the Court of Admiralty, for the State of Pennsylvania, had absolutely and respectively refused obedience to the decree and writ, regularly made in and issued from this Court; to which they and each of them were and was bound to pay obedience; the Court being unwilling to enter into any proceedings for Contempt, lest consequences might ensue at this juncture, dangerous to the public peace of the United States, will not proceed further in this affair, nor hear any appeal, until the authority of this Court shall be so settled, as to give full efficacy to their decrees and process.' And they ordered a state of the proceedings to be prepared, that they might lay it before Congress.

On the 21st of January, a Committee was appointed by Congress, to examine into the principles of the powers of the Committee of Appeals, and the causes of the refusal of the Judge of the Court of Admiralty, in the State of Pennsylvania, to execute their decree; which Committee, on the 6th of March following, reported specially, the finding of the Jury, and decree thereon; the reversal thereof; the reasons of the Judge; and Act of Assembly of Pennsylvania, as they are before stated.

Whereupon, it was resolved, 'That Congress, or such person or persons as they appoint to hear and determine appeals from the Court of Admiralty, have

necessarily the power to examine, as well into decisions on facts, as decisions on the Law, and to decree finally thereon; and that no finding of a Jury in any Court of Admiralty, or Court for determining the legality of captures on the high seas, can or ought to destroy the right of appeal, and the re-examination of the facts, reserved to Congress.

‘ That no Act of any one State can, or ought to, destroy the right of appeal to Congress, in the sense above declared.

‘ That Congress is, by these United States, invested with the sovereign supreme power of war and peace.

‘ That the power of executing the Law of Nations, is essential to the sovereign supreme power of war and peace.

‘ That the legality of all captures on the high seas must be determined by the law of Nations.

‘ That the authority, ultimately and finally, to decide on all matters and questions touching the Law of Nations, does reside and is vested in the sovereign supreme power of war and peace.

‘ That a control by appeal is necessary, in order to compel a just and uniform execution of the Law of Nations.

‘ That the said control must extend, as well over the decisions of Juries as Judges, in Courts for determining the legality of captures on the sea; otherwise the Juries would be possessed of the ultimate supreme power of executing the Law of Nations, in all cases of captures; and might at any time exercise the same in such manner as to prevent a possibility of being controlled; a construction which involves many inconveniences and absurdities, destroys an essential part of the power of war and peace, intrusted to Congress, and would disable the Congress of the United States from giving satisfaction to foreign Nations, complaining of a violation of Neutralities, of Treaties, or other breaches of the Law of Nations, and would enable a Jury in any one State to involve the United States in hostilities: A construction which, for these and many other reasons, is inadmissible.

‘ That this power of controlling, by appeal, the several Admiralty-jurisdictions of the States, has hitherto been exercised by Congress, by the medium of a Committee of their own Members.

‘ *Resolved*, That the Committee before whom was determined the appeal from the Court of Admiralty, for the State of Pennsylvania, in the case of the sloop *Active*, was duly constituted and authorised to determine the same.

‘ *Resolved*, That the said Committee had competent jurisdiction to make thereon a final decree; and therefore their decree ought to be carried into execution.’

And they thereupon requested the Assembly of Pennsylvania to appoint a Committee, to confer with a Committee of Congress, on the subject.

If the reasoning in the foregoing Resolutions establishes the propriety of proceeding, in cases of Admiralty-jurisdiction, according to the Law and usage of Nations, and which is now the Law of the Land, it could not change the Law as it then stood; therefore could have no effect upon Pennsylvania, tenacious of her own rights, resting upon her own Laws, and understanding, as well as any other State, the extent of the power of Congress, and the authority she had consented to vest in that body. Committees were appointed to confer with a Committee of Congress; but every conference was ineffectual; and, on the 31st of January, 1780, by an unanimous vote of the General Assembly, the following decisive instructions were transmitted to the Pennsylvania delegation in Congress:

‘ GENTLEMEN,

‘ The House being informed that it has been proposed in the honorable Congress, that an order be drawn on the treasury of the United States, for the amount of three-fourths of the nett proceeds of the sloop *Active* and her cargo; and to pay the same to Gideon Olmstead and others, appellants in that case, in order to satisfy the decree of the Court of Appeals for prizes made at sea; and that the same be charged to the State of Pennsylvania; referring said State, for indemnification, to the three-fourths in the hands of the Judge of the Admiralty of Pennsylvania.



‘ The House, in consequence of the above, have taken the premises into their most serious consideration, and adopted the instructions given by the last House of Assembly (March 10, 1779) to a Committee of the said House, who had been appointed to confer with a Committee of Congress in the case of the sloop Active; which instructions are in the following words:

‘ *Resolved*, 1st, That the power of establishing Courts for receiving and determining, finally, appeals in all cases of captures, is reserved in Congress by the Articles of Confederation; and, as the State of Pennsylvania has acceded to these Articles, this House esteem it their duty to adopt such regulations, consistent with the principles of the Confederation, as Congress may judge necessary for the due exercise of the said power.

‘ *Resolved*, 2d, That by our Act of this Commonwealth, for establishing a Court of Admiralty, it is declared and enacted, that the finding of the Jury shall establish the facts, without re-examination or appeal; and that the Act is not repugnant to, but consistent with, the Resolutions of Congress, of the 25th of November, 1775.

‘ *Resolved*, 3d, That the proceedings in the Court of Admiralty, in the case of the sloop Active, were founded upon the aforesaid Act of Assembly; which, together with the said Resolve, form the true ground whereupon the decision of the contested point should be made, without involving a consideration of the necessity or propriety of future alterations.

‘ The House likewise instruct you, immediately to inform the honorable body of which you are Members, that this House will consider any application of the money of this State, by Congress, to the purpose aforesaid, as an high infringement on the honor and rights of the Commonwealth of Pennsylvania; and in this view will complain, in an especial manner, of those delegations which shall concur in any vote for that purpose, to the several legislative bodies from whom they respectively derive their powers.

‘ And you are further instructed, to enter a protest, in behalf of this State, that we will pay no part of the



sum which Congress shall award, out of the treasury of the United States, in consequence of the decree of the Court of Appeals.

‘ We also instruct you to inform Congress, that the manifest right of the citizens of this State, to the benefit of its Laws, has, some time since, obtained from the authority thereof, an order for the distribution of the three-fourths given, by the verdict of the Jury in this case, to the Captains and crews of the brigantine Convention and her consort.

‘ The House views, with astonishment, the perseverance and decision of Congress, in rolling upon this State, an embarrassment created by the Court of Appeals.

‘ Congress recommended a trial by Jury to be introduced into the Court of Admiralty. The Assembly of Pennsylvania adopted the measure. A Jury, in the case of the sloop Active, founded their verdict upon the facts. It is the proper business, and the strict right, of Juries to establish facts: Yet the Court of Appeals took upon them to violate this essential part of jury trial, and to reduce, in effect, this mode of jurisprudence to the course of the Civil Law; a proceeding to which the State of Pennsylvania cannot yield.

‘ If the mode of trial by Jury (in cases of captures) as recommended by Congress, is found inconvenient to the circumstances of the United States, as being a mode unknown to most of the civilized States in Europe; this House is desirous of conforming to the customary practice.

‘ The House finally remind you of the Laws, which they understand have been passed in some of the States of the Union, denying all appeal, in Law as well as Fact, to the Court of Appeals established by Congress for prize-causes, except the Claimants be foreigners, or Captors in the pay of Congress; by the operation of one of which Laws, Mr. Hugh M’Culloch, a citizen of Pennsylvania, was debarred from removing the case of a ship and cargo, condemned in Newengland, into the said Court of Appeals; and that little notice appears to be taken of these Laws, whilst Pennsylvania, conforming to the recommendation of Congress, con-

cerning Admiralty-jurisdiction, in the most legal and usual construction of the expression, has not, in our opinion, been treated by that honorable body, with sufficient respect and attention.'

Such, then, has been the decisive stand which Pennsylvania has uniformly made against the decree of the Committee of Appeals. Can we undertake to say, from a view of the case, that our predecessors, for thirty years, have been wrong? Yet the opinions of public men have been various.

Chief Justice M'Kean, in the case of *Ross and Rittenhouse*, judicially declares, 'that the decree of the Committee of Appeals was contrary to the provisions of the Act of Congress, and of the General Assembly, extrajudicial, erroneous, and void.'

Two of the Judges, who sat in the same cause, although they do not expressly negative this opinion, appear not to concur in it.

The Supreme Court of the United States, in the case of *Pennhallow and Doane*, unanimously affirm the authority of the Court of Appeals.

And, upon the decision in this case, it would appear this contest has been revived, after it had slumbered for twenty-three years; and, as it would seem, even after Congress had abandoned the right.

But the Legislature cannot relinquish this part of the case, without once more referring to the proceedings of Congress, on this long-litigated point.

Mr. Ellery, Mr. Hand, Mr. Spaight, Mr. Jefferson, and Mr. Lee, a Committee of Congress, to whom was referred the proceedings and sentence of the Court of Appeals, in cases of capture, on the case of the ship *Lufanna*, reported; and, after stating that the Resolution of the 25th of November, 1775, had been complied with by the several States, some of them ceding appeals to Congress on a larger, and some on a more contracted scale; that the Court of Appeals had reversed the sentence passed by the inferior and superior Courts of Newhampshire, in the case of the ship *Lufanna*; that all these proceedings were prior to the completion of the Confederation, which took place on the first day of March, 1781: They resolved, 'That the said

capture, having been made by citizens of Newhampshire, carried in, and submitted to the jurisdiction of that State, before the completion of the Confederation, while appeals to Congress were absolutely refused by their Legislature; neither Congress, nor any persons deriving authority from them, had jurisdiction in the said case.'

On the 30th of March, 1784, the report was taken up; and, on the question of agreement, on the Yeas and Nays, six States voted for the Resolution, two States, and Mr. Read (from South-carolina) voted against it, and two States were divided; and, in numbers, the Ayes were 15; the Nays, 9. But, there not being a majority of States in the affirmative, the question was lost.

It may not be unworthy of remark, that, on the above Resolution, Mr. Jefferson voted in the affirmative; as also did Mr. Ellery, who was one of the Court of Appeals, which reversed the decree of the Pennsylvania Court of Admiralty: And, as Pennsylvania allowed an appeal only on a contracted scale, that could no more be exceeded, than it could in the case of Newhampshire, who allowed no appeal at all.

There is no reason, therefore, for departing from the principles and opinions of our predecessors, unequivocally declared in their public votes and Laws, respecting the case of the sloop Active, without a single exception, from the first moment of the contest.

The second part of the case exhibits facts and circumstances, of the deepest interest and concern to Pennsylvania. An attempt had been made, by the District Court, deriving its authority from the Constitution of the United States, to enforce the decree of the Committee of Appeals; the jurisdiction of which, to reverse the facts established by a Jury, Pennsylvania had so long resisted; and which even Congress, under the Confederation, had so long abandoned; not only to enforce it, but to enforce it *ex parte*; without power to examine the merits, or to control its errors; without notice to the State, or consulting its interests; not only thus to enforce it, but to convert the Treasurer and Agent of the State, acting under its imme-

diate authority, into a stake-holder, as a mean to reach the funds of the State, and to affect its rights.

If this could be done, the amendment had to the Constitution would be a dead letter. 'The State can act, under its Laws, only by its Agents. Its monies remain in the hands of its Treasurers. If its Officers can be converted, by the decree of a Judge, into stake-holders, there can, perhaps, be no possible case in which the Constitution may not be evaded.

It sufficiently appeared, in the answer to the Libel, that Mr. Rittenhouse received the money as Treasurer of the State, for the use of the State. It appeared decisively on the public records of the Commonwealth. But it is alleged, 'that the amendment to the Constitution simply provides, that no suit shall be commenced or prosecuted against the State. That in this case the suit was not instituted against the State, or its Treasurer, but against the executors of David Rittenhouse. That, if the proceeds had been the actual property of Pennsylvania, however wrongfully acquired, the disclosure of that fact would have presented a case, on which it is unnecessary to give an opinion.'

Such is the language of the Supreme Court of the United States? If the process and jurisdiction of the Admiralty Court will reach and extend over the proceeds of prize, found within the district; and individuals, no party to the original decree, can be libelled against; is all investigation to be foreclosed? Or, if it be not in the nature of an original suit, but merely a proceeding to enforce a decree of a former Court, in which Captain Josiah and Captain Houston were parties; why are Captain Josiah and the Representatives of Captain Houston unheard in this strange proceeding?

It is further alleged, and is made a ground of decision by the Federal Courts, 'that the property which represented the Active and her cargo was in possession, not of the State of Pennsylvania, but of David Rittenhouse, as an individual; after whose death it passed, like other property, to his Representatives.'

It is, however, clear, that David Rittenhouse could not have received a farthing of the money, as David

Rittenhouse; but as Treasurer of the State only, and by order of the State. The moment it came into his hands, as Treasurer, it was, to every intent and purpose, in the coffers of the State. Although David Rittenhouse gave a bond to indemnify George Rofs; yet that instant the State became bound to indemnify David Rittenhouse, and the real party, then interested, was the Commonwealth of Pennsylvania. A Treasurer or other Officer, retaining the public monies, upon any pretence whatever, cannot, upon any principle, change the nature of the question.

Notwithstanding, by the highest judicial authority, the question is declared to be at rest. 'That, by the decree of reversal, the interest of the State of Pennsylvania, in the Active and her cargo, was extinguished. That, although Mr. Rittenhouse was Treasurer of the State of Pennsylvania, and the bond of indemnity which he executed states the money to have been paid to him, for the use of the State; it is apparent he held it in his own right, until he should be completely indemnified by the State; and that the evidence to this point was conclusive. That it did not appear that the original certificates were deposited in the State Treasury, or in any manner designated, as the property of the State; or delivered over to his successor; and, when funded, were funded in his own name, and the interest drawn by him. That the memorandum made by him, at the foot of the list of certificates, in these words; 'The above certificates will be the property of the State of Pennsylvania, when the State releases me from the bond I gave, in 1778, to indemnify George Rofs, Esq. Judge of the Admiralty, for paying the fifty original certificates into the Treasury, as the State's share of the prize;' demonstrates that he held the certificates as security against the bond he had executed; and that bond was obligatory, not on the State of Pennsylvania, but on David Rittenhouse, in his private capacity.'

This statement by the Court, as part of the broad ground on which they decided, may be plausible; may give color to the decision: Yet it by no means appears, that he received it as a stake-holder, or upon

a contingency; but for the use of the State, as its share of the prize. And even upon his own memorandum, so much relied on, it is stated, that the certificates were paid into the Treasury, as the State's share of the prize; and, as the State was bound to indemnify him, when he acted under its orders, the State would have, of course, been the real party interested in any suit which might have been commenced upon it. It would seem that the Court was not possessed of the whole state of the case; as will appear from the authority under which the Treasurer acted; which proves explicitly how, and in what character, he acted. In the minutes of the Supreme Executive Council is the following Resolution:

'Philadelphia, April 21, 1779. *Resolved*, That David Rittenhouse, the Treasurer, be directed to find sufficient security, to be approved of by the Judge of the Admiralty, for the share adjudged to the State, of the prize-sloop *Active*, taken by the brigantine Convention, and the Gerard privateer; and take up the money, which will exceed eleven thousand pounds, for the use of the State; one-half of the sum, allotted to the Convention, coming to the State.'

It here incontrovertibly appears, that he did not receive the money as a private individual; but for the use of the State, by the orders of the executive authority; and the bond which he executed was executed by him, by the like authority, as agent and security for the State. Having thus received the money, previously the property of the State, by the decree of the Admiralty Court, as Treasurer, no detention of it, when he went out of office, ought in reason or principle to be considered as changing the nature of the original transaction. The Legislature, at their Session, November 23, following, passed a Resolution similar to that of the Executive Council; and the Act of February 26, 1801, still further corroborates all the former proceedings of the State.

The Legislature are also of opinion, that, as the brigantine Convention was the property of the State, as soon as judgment was pronounced upon the verdict of the Jury, its interest attached upon its proportion

of the prize; and, as soon as it was received by the State Treasurer, it was so much, belonging to the State, actually in the Treasury.

When it is said, that the State of Pennsylvania forbore to assert its title, while the suit was depending, let it be forever remembered, that the State of Pennsylvania had no notice. And if notice had been given, to what purpose could she have asserted her title, when by the high authority of the Court it is declared, that the Court had nothing to do with the question decided by the Court of Appeals; which must be enforced without an examination of its merits.

Although the Legislature reverence the Constitution of the United States, and its lawful authorities; yet there is a respect due to the solemn and public Acts, and to the honor and dignity, of our own State, and the unvarying assertion of her right, for a period of thirty years; which right ought not to be relinquished.

Whereupon,

The question, on the motion to postpone the 1st Resolution, and introduce the preamble, being put, was determined in the affirmative; and the preamble, being under consideration, was adopted.

The 1st Resolution recurring,

A motion was made, by Mr. Dorsey and Mr. Wayne,

To postpone the further consideration of the Resolution, with the preamble, for the present, in order to introduce the following; and required the Yeas and Nays on the motion, *viz.*

*Resolved*, That a Committee be appointed to bring in a Bill, authorising and requiring the Governor of this Commonwealth to draw his warrant on the State Treasurer, in favor of Elizabeth Sergeant and Esther Waters, surviving Executrixes of David Rittenhouse, deceased, for the sum of                    being the amount paid by them into the State Treasury, in pursuance of the Act of Assembly of the 2d of April, 1803; to be by them immediately applied to the payment and satisfaction of the decree of the District Court, in the case of Gideon Olmstead and others, *versus* the Executrixes of David Rittenhouse aforesaid.



Whereupon,

On the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Brady,  
Campbell,  
Dorsey,  
Erwin,  
Heston,  
Mayer,

NAYS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Gress,  
Hiestler,  
Irish,  
Lacock,  
Laird,  
Lattimore,  
M'Arthur,

YEAS.  
Messrs. Miller,  
Palmer,  
Preston,  
Slaymaker,  
Wayne. 11.

NAYS.  
Messrs. Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver,  
Lané (*Speaker*). 19.

Eleven Yeas, nineteen Nays; by which it appeared that the question was determined in the negative.

The first Resolution recurring was adopted.

The remaining Resolutions and preamble having been agreed to,

*Ordered*, That the said Resolutions be returned to the House of Representatives, with information that Senate have passed the same, with amendments; in which the concurrence of that House is requested. Which amendments are:

1. Introduce the preamble, as above; and add to the end of the Resolutions the following:

‘And that the Governor be also requested to transmit a copy to the several States in the Union, with a request that they may be laid before their respective Legislatures.’

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*



*To the Senate and House of Representatives, of the  
Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the House of Representatives, in which they originated, viz.

1. An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.

2. An Act granting a Sum of Money to Catharine Shibe, for Services rendered by her late Husband, in the revolutionary War.

SIMON SNYDER.

*Lancaster, March 23, 1809.*

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

*'A Supplement to an Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased.'*

He returned the Bill, entitled,

*'An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations and Proceedings in Courts of Justice.'*

And informed, that the House of Representatives have passed the said Bill with amendments; in which the concurrence of Senate is requested.

He informed further, that the House of Representatives have concurred in the amendments, by Senate, to the Bills, entitled, as follow, viz.

1. An Act for the Relief of John Boyls, a Sergeant in the late revolutionary War.

2. An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.

3. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

The Bill presented for concurrence was read the first time.

The amendments, by the House of Representatives, to the Bill, entitled, *"An Act supplementary to the Act,*

*entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice,'* were read as follow, viz.

Section 1. At the end of line 5, insert 'or their lawful attorney.' At the end of the section add, 'and the proof of service shall be, the oath or affirmation of the person serving the same.'

Section 2, line 35. Transpose the word 'only,' to follow the word 'name.'

Section 3. After the word 'appear,' in lines 2 and 3, insert 'by themselves, their attorney, or agent.'

Section 4, line 3. Strike out the word 'near.'

Section 5, line 3. Between the words 'the county,' insert 'city or.'

Section 6, line 12. After the word 'Prothonotary,' insert 'Sheriff or Recorder.'

Section 7. At the end thereof add the following: 'And also a notification, as well to the adverse party as to the Arbitrators, of the time when and place where the said Arbitrators are to meet; which time and place shall be fixed by the Prothonotary, and inserted in the notice of appointment. And the proof of serving such notice shall be, the oath or affirmation of the party serving the same; of which, at least ten days notice shall be given, previous to the day of meeting.'

Strike out section 8, and number the remaining sections accordingly.

Section 9, as printed, line 9. Strike out the word 'except.'

Section 10, line 15. Strike out the words, 'or a majority of them.'

Section 11, line 7. After the word 'shall,' insert 'by himself, his agent, or attorney.'

Section 12, line 8. Strike out the words, 'before the Arbitrators, together with those accrued.'

Section 13. After the word 'Prothonotary,' in lines 3 and 4, insert, 'in the nature of special bail.'

Line 12. Between the words, 'appeal which,' insert, 'or, in default thereof, shall surrender the Defendant or Defendants to the jail of the proper county, in discharge of said recognizance.'

Section 15. Between the words 'parties to,' in line 3, insert 'their agents or attornies.'

Section 17. At the end of line 6, insert, 'and transmit the same.'

Line 7. Strike out the word 'seven,' and insert in lieu thereof these words; 'fourteen, excepting in the city and county of Philadelphia, which shall not exceed seven.'

Section 18, line 5. Strike out the words 'he or they,' and insert in place thereof the words, 'each of them.'

Moved by Mr. Wayne and Mr. Dorsey,

*Resolved*, That a Committee be appointed to bring in a Bill, repealing an Act, entitled, "*An Act relating to the Claim of this Commonwealth against Elizabeth Sergeant and Esther Waters, surviving Executrixes of David Rittenhouse, Esquire, deceased.*"

On which motion, Mr. Preston and Mr. Wayne required the Yeas and Nays; and, on the question be-put, the Members voted as follow, viz.

## YEAS.

Messrs. Brady,  
Campbell,  
Dorsey,  
Heston,  
Mayer,

## NAYS.

Messrs. Blocher,  
Borrows,  
Doty,  
Erwin,  
Gress,  
Hiester,  
Irish,  
Lacock,  
Laird,  
Lattimore,

## YEAS.

Messrs. Miller,  
Palmer,  
Preston,  
Slaymaker,  
Wayne. 10.

## NAYS.

Messrs. M'Arthur,  
Mitchell,  
Rahm,  
Rankin,  
Roberts,  
Sommer,  
Stevenson,  
Udree,  
Weaver. 19.

(The Speaker, on request made by him, was excused voting.)

Ten Yeas, nineteen Nays; by which it appeared that the question was determined in the negative.

The Bill, entitled, "*An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safeharbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been agreed to,  
Ordered, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act providing for the Settlement of Accounts of Lottery Commissioners, and others concerned in Lotteries;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been amended, so as to read "*An Act providing for the Settlement of Accounts of the Susquehanna Lottery Commissioners, and others concerned in Drawing thereof;*" and agreed to,

Ordered, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the better establishing the Boundaries of the Town and Out-lots of the Town of Indiana;*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to,

The preamble and title having been agreed to,  
Ordered, That the said Bill be prepared for the third reading.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act directing the Mode of settling Accounts in the Land-office, and to prevent Frauds in obtaining Land-warrants,'*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Dorsey in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion of Mr. Sommer and Mr. Weaver,  
The Senate adjourned, till 4 o'clock in the afternoon. •

SAME DAY, IN THE AFTERNOON.

The Bill, entitled, "*An Act granting to John Caulket an Annuity for Life,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Slaymaker in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Lacock and Mr. Roberts,

The report of the Committee of the Whole, on the said Bill, was considered and adopted; and so the Bill was lost.

On motion of Mr. Dorsey and Mr. Hiestler,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That the Speaker draw his warrant on the State Treasurer for one thousand dollars, in favor of William Dickson, Printer of the Journal of the Senate, in the English language; he to be accountable therefor.

Whereupon,

A warrant was accordingly so drawn.

The Bill, entitled, "*An Act granting to Samuel M'Neill an Annuity for Life,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On leave given, Mr. Palmer read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents;*" which was read the first time.

The Bill, entitled, “ *An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Laird in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for signature, six Bills, entitled, respectively as follow, *viz.*

1. A Supplement to the Act, entitled, ‘ *An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark.*’

2. An Act granting certain Privileges to Jonathan Grout.

3. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant to Shamokin Island, through the Public Highway of Shamokin Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland.

4. An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.

5. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

6. A Supplement to an Act, entitled, ‘ *An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry, of the African Episcopal Church of St. Thomas, in the City of Philadelphia.*

Whereupon,

The Speaker signed the said Bills.

The Bill, entitled, "*An Act for the Promotion of the Internal Resources and the Manufactures of this Commonwealth, and to incorporate a Company for the said Purposes, to be entitled, 'The Pennsylvania Premium Society,'*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments ; which were read as reported.

The Bill, entitled, "*An Act for the Relief of Thomas Campbell,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

Mr. Rankin asked and obtained leave of absence, for the remainder of the Session.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, three Bills, entitled, respectively as follow, viz.

1. An Act authorising a Loan of Money from the State, to William M'Dermett.

2. A Supplement to an Act, entitled, '*An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties,*' passed the 29th day of March, 1803.

3. An Act granting certain Privileges to Jonathan Grout.

Adjourned, till 10 o'clock tomorrow morning.

Friday, March 24, 1809.

The Bill, entitled, "*An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safeharbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act providing for the Settlement of Accounts of the Susquehanna Lottery Commissioners, and others concerned in Drawing thereof,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with one amendment (verbal); in which the concurrence of that House is requested.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act directing the Mode of settling Accounts in the Land-office, and to prevent Frauds in obtaining Land-warrants,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,



A motion was made, by Mr. Roberts and Mr. Borrows,

To amend the section, by suspending the provision of the first section, of the Act to encourage the patenting of Lands, to the first of September, 1810; which was agreed to, and the section as amended was adopted.

Section 2 being under consideration,

A motion was made, by Mr. Roberts and Mr. Borrows,

To amend the section, by a similar provision, as to the second section of the said Act; which was agreed to.

A motion was then made, by Mr. Lacock and Mr. Laird,

Further to amend the section, by inserting the following, at the end thereof:

*Provided, always,* That the privilege contained in this section shall extend only to those who hold land, in their own right, to the quantity of 400 acres, and no more.

Whereupon,

On motion of Mr. Roberts and Mr. M'Arthur,

The further consideration of the Bill was postponed, for the present.

The Clerk of the House of Representatives presented, for concurrence, two Bills, entitled, respectively:

1. An Act for the Sale of vacant unimproved Land, within certain Parts of this Commonwealth.

2. An Act to encourage and facilitate the Completion of the Frankford and Bristol Turnpike Road.

He returned the Bills, entitled respectively as follow, *viz.*

1. An Act concerning Sentences of Foreign Prize-courts.

2. An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes.

And informed, that the House of Representatives, have passed said Bills; the former without amendment; and the latter with amendments; in which the concurrence of Senate is requested.

The amendments on said Bill were read as follows,  
viz.

- Sect. 4, line 9. Strike out the word 'Register,' and insert 'Auditor.'
- 6, lines 3 and 9. Make the same amendment.
7. At the end thereof, add the following; 'or by any subsequent Law.'
- 8, line 3. Strike out the words, 'of a suitable and convenient size.'
10. Strike out all that follows the word, 'Governor,' in the 4th line, to the end of the 6th line; and insert in lieu thereof these words, 'for three years.'
- 11, line 2. After the word, 'that,' insert 'from and after the 10th day of May next.' Same line, between the words, 'of Acts,' insert 'any Act or.' Same line, strike out the word 'are,' and insert 'is.'

The Bills presented for concurrence were severally read the first time.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows,  
viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the House of Representatives, in which they originated, viz.

1. A Supplement to the Act, entitled, 'An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township of the Northern Liberties,' passed the 29th Day of March, 1803.

2. An Act granting certain Privileges to Jonathan Grout.

3. An Act authorising a Loan of Money from the State, to William M'Dermett.

SIMON SNYDER.

*Lancaster, March 24, 1809.*

The Bill, entitled, "*An Act granting to Samuel M'Neill an Annuity for Life,*" was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been agreed to,  
*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Promotion of the internal Resources and the Manufactures of this Commonwealth, and to incorporate a Company for the said Purposes, to be entitled, 'The Pennsylvania Premium Society,'*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been amended, so as to read "*An Act incorporating the Pennsylvania Premium Society,*" and agreed to.

*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Wayne and Mr. Mitchell,  
 The Senate adjourned, till half past 3 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, which was read as follows, *viz.*

SIR,

By an Act of Assembly, of March 12, 1791, it is enjoined as a duty, on the Secretary of the Commonwealth, to keep the Great and Less Seal of the State, and affix them respectively, as the case may require, to all public instruments to which the attestation of the

Governor's signature is, or hereafter shall be, required by Law. It appears to me, from the above-recited Act, that the Secretary must not only be responsible for the safe-keeping of the Seal, but also for its application to such papers as may be presented to him for that purpose.

A few days since, a patent was presented to me, for the application of the Great Seal of the State, and for my signature; the propriety of which I have doubts. The patent is made out, signed by the Secretary of the Land-office, by direction of a majority of the Board of Property, to John Shepherd and Benjamin Dorrance, for 12,328 acres of land, called the 'Mammoth Farm;' being the greater part of Claverack, one of the Seventeen Townships of Luzerne county, upon a certificate issued by the Commissioners, appointed under an Act of Assembly, passed the 4th of April, 1799. The objections to affixing the Seal are:

1. That the Commissioners' certificate, according to my apprehension, has not been issued agreeably to the 5th section of the Act of the 4th of April, 1799, for offering Compensation to Pennsylvania Claimants, &c. having included more than one lot, and those not adjoining, and containing more than four hundred acres, with allowance.

2. That the certificate includes islands, not marked by courses and distances.

3. That, by establishing such a precedent, the revenues of the State would be materially affected. In the present case, should the patent aforesaid be issued, the State would lose about 300 dollars of fees, receivable in the different offices.

My doubts are increased, upon a recollection that, a few years since, an application was made to the Legislature, by the Holland Company, for the privilege of taking out patents to include more than four hundred acres; which application was accompanied by a proposition, to pay the same amount of fees as would be payable, provided separate patents were issued, containing each but four hundred acres, with allowance. Their application was, notwithstanding, rejected by the Legislature.

I wish clearly to be understood, as not impeaching the integrity or the correctness of the proceedings of the Commissioners, or that of the Officers of the Land-office; but only, that my opinion is not coincident with theirs. Impressed with the weight of the above objections, I have withheld the patent.

Should those objections I have stated appear as unimportant, by the Legislature, I shall cheerfully seal and attest the patent. If, on the contrary, they accord with me in opinion, although they may not deem it expedient to pass an explanatory Act, or give such a decision as may, by an *ex post facto* operation, affect any supposed right in the applicants, under existing Acts of Assembly; the Legislature will be competent to direct the mode by which a legal adjudication may be had on the subject.

An early attention to this subject is respectfully requested.

N. B. BOILEAU, *Sec'ry.*

*Secretary's Office, March 24, 1809.*

P. C. LANE, *Esq.*

*Speaker of Senate.*

On motion,

The said letter was again read, and referred to Mr. Roberts, Mr. Lacock, and Mr. Brady, to consider and report thereon.

On motion of Mr. Wayne and Mr. Doty,

The following Resolution was twice read, considered and adopted, *viz.*

*Resolved*, That the Clerk of Senate be, and he is hereby authorised, to subscribe, in the name of the Senate of this Commonwealth, for six copies of the American Senator, or Select Debates in the Congress of the United States, about to be published for Thomas J. Rogers, for the use of Senate; reserving to that body the power of withdrawing said subscription, when they may deem proper.

The amendments, by the House of Representatives, on the Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations and Proceedings in Courts of Justice,'*" were read the second time, and considered separately.

The amendments on sections 4, 10, and 12 were severely disagreed to.

The other amendments were agreed to.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The amendments, by the House of Representatives, on the Bill, entitled, "*An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes;*" were again read, considered, and concurred in.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

The Clerk of the House of Representatives presented, for signature, three Bills, entitled, respectively as follow, *viz.*

1. An Act granting an Annuity to John Boyls, a Sergeant in the late revolutionary War.

2. An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.

3. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

'An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana.'

The Speaker signed the Bills presented for signature.

The Bill, entitled, "*An Act establishing an Academy in Carmichaelstown, in the County of Greene,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for signature, two Bills, entitled, respectively as follow, *viz.*

1. An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safeharbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible.

2. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road, beginning at or near Kelso's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington.

Whereupon,

The Speaker signed the same.

The Bill, entitled, "*An Act for the Relief of David Thomas,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, as follow, *viz.*

1. A Supplement to an Act, entitled, 'An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia.'

2. A Supplement to the Act, entitled, 'An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark.'

3. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant to Shamokin Island, through the Public Highway of Shamokin Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland.

4. An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.

5. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

On motion of Mr. Wayne and Mr. Preston,  
The Senate adjourned, till 9 o'clock tomorrow morning.



Saturday, March 25, 1809.

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The Speaker laid before the Senate the petition of Timothy Matlack, heretofore Clerk of the Senate, stating that there is a considerable balance due to him; and the same was twice read, and referred to Mr. Weaver, Mr. Lacock, and Mr. Roberts, to consider and report thereon.

Mr. Laird, from the Committee to whom was referred, on the 15th of last month, the petition of the Commissioners appointed to receive Subscriptions for a Bridge over the river Susquehanna, at the falls of Nescopeck, praying the Legislature to subscribe, in behalf of the State, for shares of the stock of that company; made report, which was read as follows, *viz.*

That the Committee have had the same under consideration, and are of opinion, that every encouragement ought to be given to facilitate objects of so much importance, when the finances of the State will admit thereof. But, believing their present situation will not justify so large an appropriation, as is prayed for in



the petition, beg leave to offer the following Resolution :

*Resolved*, That the object prayed for, by the petitioners, be recommended to the early attention of the next Legislature.

On motion of Mr. Laird and Mr. Mitchell,

The said report was again read, considered, and adopted.

Mr. Dorsey, from the Committee of Accounts, made further report, which was read as follows, *viz.*

That there is due to the Members and Officers of the Senate, for their attendance in the present Session, and mileage, the following sums, *to wit* :

			D.	C.
Jacob Blocher,	120 days,	360		
	278 miles,	27 80		
		<hr/>	387	80
John Borrows,	120 days,	360		
	260 miles,	26		
		<hr/>	386	
James Brady,	120 days,	360		
	440 miles,	44		
		<hr/>	404	
Michael Bright,	106 days,	318		
	128 miles,	12 80		
		<hr/>	330	80
Thomas Campbell,	120 days,	360		
	86 miles,	8 60		
		<hr/>	368	60
John Dorsey,	120 days,	360		
	128 miles,	12 80		
		<hr/>	372	80
Ezra Doty,	120 days,	360		
	162 miles,	16 20		
		<hr/>	376	20
William Erwin,	120 days,	360		
	216 miles,	21 60		
		<hr/>	381	60
Matthias Gress,	120 days,	360		
	160 miles,	16		
		<hr/>	376	

Edward Heston,	120 days, 118 miles,	360 11 80 <hr/>	D. C. 371 80
Gabriel Hiefter,	120 days, 62 miles,	360 6 20 <hr/>	366 20
Nathaniel Irish,	113 days, 488 miles,	339 48 80 <hr/>	387 80
Abner Lacock,	120 days, 518 miles,	360 51 80 <hr/>	411 80
James Laird,	120 days, 224 miles,	360 22 40 <hr/>	382 40
William Lattimore,	120 days, 152 miles,	360 15 20 <hr/>	375 20
Christopher Mayer,	120 days,	<hr/>	360
William M'Arthur,	120 days, 630 miles,	360 63 <hr/>	423
William Miller,	120 days, 120 miles,	360 12 <hr/>	372
David Mitchell,	120 days, 136 miles,	360 13 60 <hr/>	373 60
Nathan Palmer,	120 days, 300 miles,	360 30 <hr/>	390
Jonas Preston,	119 days, 100 miles,	357 10 <hr/>	367
Melchior Rahm,	120 days, 72 miles,	360 7 20 <hr/>	367 20
Archibald Rankin,	108 days, 186 miles,	324 18 60 <hr/>	342 60

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Jonathian Roberts,	120 days, 100 miles,	360 10 <hr/>	D. C. 370
Amos Slaymaker,	120 days, 28 miles,	360 2 80 <hr/>	362 80
Jacob Sommer,	120 days, 156 miles,	360 15 60 <hr/>	375 60
James Stevenson,	120 days, 548 miles,	360 54 80 <hr/>	414 80
Daniel Udree,	120 days, 84 miles,	360 8 40 <hr/>	368 40
Isaac Wayne,	120 days, 90 miles,	360 9 <hr/>	369
Isaac Weaver,	120 days, 500 miles,	360 50 <hr/>	410
Presley C. Lane, <i>Speaker</i> ,	120 days, 410 miles,	480 41 <hr/>	512
George Bryan, <i>Clerk</i> , Allowance, by Law,	120 days,	480 500 <hr/>	980
Stacy Potts, jun. <i>A. Clk.</i> Allowance, by Law,	120 days,	480 350 <hr/>	830
William Wilson, <i>Sergeant-at-arms</i> , Allowance, by Law,	120 days,	240 150 <hr/>	390
Adam Hart, <i>Doorkeeper</i> , Allowance, by Law,	120 days,	240 150 <hr/>	390

The Committee also report, that they have examined the Accounts of George Bryan, Clerk of the Senate, since his settlement on the 11th of February, 1809, and the vouchers for the disbursement of the money intrusted to him; and find that he has expended the

sum of four dollars fifteen cents, more than he has received.

The following is a statement of the Account :

*To the following disbursements made by the Clerk for contingencies, viz.*

Paid Bundle & Hantsch,

per voucher

No. 1 3 50

Samuel White,

2 2 9

Matthias Zahm,

3 47 27

John F. Steinman,

4 24 5

Nathaniel Smith,

5 00 37½

John Wilson,

6 8 80

William Kirkpatrick,

7 18 67

Several persons, for wood

and sawing,

8 17 75

Christopher Mayer,

9 00 92

Michael Kline,

10 1 47

Adam Hart,

11 29 9

P. C. Lane (Speaker) ex-

pences paid by him for

serving writs of election,

12 28 00

181 98½

*For Newspapers, Books, Stationary, &c.*

William Dickson, per

voucher

No. 1 95 26

John Getz,

2 24 82

Zachariah Poulson,

3 12 00

Jonathan S. Findley,

4 1 66

John Binns,

5 2 77

William Brindle,

6 3 33

Geore Moore,

7 72 38

George Helmbold,

8 1 53

Hugh Hamilton,

9 8 00

For postage and pins,

00 42

222 17

404 15½

Deduct warrant in favor

of Clerk, dated Feb.

15, 1809.

400 00

4 15

Mr. Dorsey likewise reported, that the Committee have examined the estimate produced by the several Printers of the Senate, and are of opinion, that the sum of nine hundred and fifty dollars should be placed in the hands of the Clerk, to enable him to pay the balances due to the several Printers, when the printing-work shall have been completed. The Committee therefore offer the following Resolutions, *viz.*

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of George Bryan, Clerk of the Senate, for the sum of 4 dollars 15 cents, in full of the balance due him on account of contingencies; and also, that the Speaker draw his warrant, for the further sum of 500 dollars, on the said Treasurer, in favor of the said Clerk, to enable him to discharge the accounts of such Printers of Newspapers, the account of transcribing Bills, and other accounts not furnished. Also, to provide wood for the next session, and to pay other contingencies. He to be accountable therefor.

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of George Bryan, Clerk of the Senate, for the sum of nine hundred and fifty dollars, to enable him to settle with the several Printers of the Senate; he to account for the same.

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of the Members and Officers of the Senate respectively, for the amount due to each, as above stated.

Ordered to lie upon the table.

The Bill, entitled, "*An Act for the Relief of Samuel M'Neill*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. Which amendments are:

The Annuity granted to Samuel M'Neill to be payable to George Palmer, for the use of Samuel M'Neill; with some verbal amendments.

The Bill, entitled, "*An Act to authorize the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act incorporating the Pennsylvania Premium Society,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The report of the Committee, on the petition of Daniel Brodhead, jun. read on the 16th of this month, was again read, considered, and adopted.

The Resolution, "*instructing our Senators, and requesting our Representatives, in Congress, relative to Weights and Measures,*" was read the second time, considered, and adopted.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Resolution, "*authorizing the Governor to subscribe for a certain Number of Copies of the British Statutes in Force in Pennsylvania,*" was read the second time; and, being under consideration,

A motion was made, by Mr. Dorsey and Mr. Mitchell,

To fill the Blank with 300; referring to the number of copies to be procured; which was not agreed to.

Motions to fill the blank with 100, and with 50, were severally made, and rejected.

The blank was then filled with 20, and the second blank, referring to the price, with 2 dollars 50 cents.

The latter part of the Resolution, respecting the distribution, was amended so as that 14 copies should be appropriated to the use of the House of Representatives, and 6, to the Senate.

The Resolution as amended was adopted.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act establishing an Academy in Carmichaelstown, in the County of Greene,*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

The Bill, entitled, "*An Act authorizing William Lane and Thomas Davis to Build a Bridge, across the Raystown Branch of the Juniata, near the Mouth of Yellow creek,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Grefs in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again on Wednesday next.

The Bill, entitled, "*An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Slaymaker in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

The Resolution, "*directing a certain Number of Copies of the General Election-laws to be printed,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and obtained leave to sit again on Wednesday next.

The Bill, entitled, "*An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents,*" was read the second time, considered by section, and agreed to.

The title being agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Borrows and Mr. Irish,

The Senate resumed the consideration of the Bill, entitled, "*An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic,*"

The consideration of section 1 recurring, was adopted.

The remaining section, with the preamble and title, having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Wayne and Mr. Doty,

The Senate resumed the consideration of the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act directing the Mode of settling Accounts in the Land-office, and to prevent Frauds in obtaining Land-warrants.'*"

The consideration of section 2 recurring, and the amendment, offered by Mr. Lacock and Mr. Laird, being again under consideration, was, with the consent of Senate, withdrawn.

Whereupon,

On motion of Mr. Lacock and Mr. Laird,

*Agreed*, That the section be amended, by adding to the end thereof the following, *viz.*



“ *Provided*, That the privilege in this section shall extend only to those persons who shall make it appear, to the satisfaction of the Secretary of the Land-office, that they hold no greater quantity of unpatented land, in their own right, directly or indirectly, than 400 acres, and who actually reside on the same; and to Widows and Orphans, or their legal Representatives, and to no other.”

The section as amended was agreed to.

The title of the Bill having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act to provide for the Payment of the Taxes due on the Lands of the late John Nicholson, on which the State had a Lien,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return the same to the House of Representatives, in which they originated, *viz.*

1. An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.

2. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

3. A Supplement to an Act, entitled, ‘ An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding 8000 Dollars, for the Use and Be-

nefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia.'

4. A Supplement, to the Act, entitled, 'An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark.'

5. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant to Shamokin Island, through the Public Highway of Shamokin Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland.

SIMON SNYDER.

*Lancaster, March, 25, 1809.*

The Bill, entitled, "*An Act for the Relief of Thomas Campbell, of the County of York,*" was read the second time, as reported by Committee of the Whole, on the 15th of January, considered by section, and agreed to.

The preamble (with one verbal amendment) and the title having been agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented five Bills, for concurrence, *viz.*

1. An Act for the better Employment, Relief, and Support of the Poor, within the Township of Germantown, in the County of Philadelphia.

2. An Act for the Benefit of the Devisees of John Hart, deceased.

3. An Act authorising the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned.

4. An Act to authorise Walter Smith and William Patterson, Guardians of the minor Children of Edward Abbott, deceased, to sell and convey certain real Estate.

5. An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, de-

ceased, to convey a certain Tract of Land to the Purchaser thereof.

And he presented, for signature, the Bill, entitled, 'An Act for the better establishing and confirming the Boundaries, of the Town and Out-lots of the Town of Indiana.'

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

'An Act granting to Samuel M'Neill an Annuity for Life.'

And also, that the House of Representatives have receded from their amendments, not concurred in by Senate, to the Bill, entitled,

'An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice.'

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bill presented for signature.

The Bill, entitled, "*An Act. making perpetual an Act, entitled, 'An Act to regulate the Payment of Costs on Indictments, and the second Section of the Act, entitled, 'An Act explanatory of the Act, entitled, 'An Act to regulate the Payment of Costs on Indictments;'*" was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to afford immediate Relief to John Huton, a Soldier during the revolutionary War, and to grant him an Annuity,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacock in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

On motion of Mr. Weaver and Mr. Wayne,

The said Bill was considered by section, and agreed to.

The preamble and title having been agreed to, with one verbal amendment,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of Frederick Kugel*," was read the second time, and considered by section.

Section 1 being under consideration,

The question, on agreeing thereto, being put, was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act for the Relief of Thomas Campbell*," was read the second time, as reported by Committee of the Whole, and considered by section.

Section, 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Roberts; and on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Brady,  
Erwin,  
Heston,  
Laird,  
Mitchell,

NAYS.  
Messrs. Blocher,  
Borrows,  
Gres,  
Hiestler,  
Irish,  
Lacock,  
Lattimore,  
Mayer,  
M'Arthur,

YEAS.  
Messrs. Palmer,  
Rahm,  
Stevenson,  
Wayne. 9.

NAYS.  
Messrs. Miller,  
Preston,  
Roberts,  
Slaymaker,  
Sommer,  
Udree,  
Weaver,  
Lane (*Speaker*). 17.

Nine Yeas, seventeen Nays; by which it appeared that the question was determined in the negative; and so the Bill was lost.

On motion of Mr. Wayne and Mr. Heston,  
*Agreed*, That Senate will meet at 9 o'clock in the morning, for the remainder of the session.

Mr. Laird, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills, entitled, respectively as follow, *viz.*

1. An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.

2. An Act granting an Annuity to John Boyls, a Sergeant in the late revolutionary War.

3. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road, beginning at or near Kelfo's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington.

4. An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safe-harbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible.

5. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

Adjourned, till 9 o'clock tomorrow morning.

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Monday, March 27, 1809.

Mr. Brady presented the memorial of Jane Wells, late Jane Vanlear, stating that she was married, in the year 1789, to John Vanlear, and lived with him until the year 1798; under, however, very great affliction, owing to the frequent intoxication of the said Vanlear. That she conceived her life to have been often times endangered, by her Husband; and that, under this apprehension, she fled from his house, and took refuge with her Mother.

That, at the end of four years, during which time she derived no support from her Husband, either for herself or Children, she applied to the Judges of the Supreme Court, for a divorce; that a subpoena had been awarded, but not served, owing to a publication of the death of her said Husband.

That she afterwards married a certain John Wells, of Greensburg, Westmoreland county.

That the report of the death of said John Vanlear proved incorrect; and that he has applied to the Legislature for a divorce from the bands of matrimony with the petitioner. She therefore prays that, if the prayer of said Vanlear be granted, provision may be made, in the Law, securing the property she is entitled to from her Father. And the said petition was read, and,

Laid upon the table,

Mr. Heston presented the petition of the subscribers thereto, citizens of Philadelphia, complaining of the conduct of Robert Wharton, one of the Aldermen of the city of Philadelphia, in relation to certain elections held in said city; and praying that he may be removed from office; and the petition was twice read, and referred to Mr. Heston, Mr. Lattimore, Mr. Stevenson, Mr. Erwin, and Mr. Sommer, to consider and report thereon.

Mr. Roberts, from the Committee to whom was referred, on the 17th of December, the 8th Item of the report of unfinished business, made report; which was read as follows, *viz.*

That, considering the subject committed to them as one meriting particular attention, both as it respects the property of individuals and the interests of the Commonwealth, the Committee have closely examined the reports referred to them, and have sought such further information, as could be derived from personal interviews with the Secretary of the Land-office and Surveyor-general, as well as from two of the late Commissioners; and submit to Senate the result of their inquiries.

From the report of the Secretary of the Land-office, it appears, 1785 certificates have been issued to Connec-

icut Settlers: 12,647 acres are certified; the number of certificates covering it being unknown. Patents have issued on 195 certificates, as above, including 26,120 acres. 1590 certificates remain to have patents issued on them, including 241,029 acres. The Secretary, however, states, he has no doubt but there is a much larger quantity to be patented, as he is unable to ascertain the number of acres for which certificates have been issued; and refers to the report of the Surveyor-general.

In the report of that Officer, made in compliance with a Resolution of Senate, it is stated, the whole amount of land in the Fifteen Townships, calculated from a comparison of the separate returns of survey, with the connected draughts of the Townships, is 251,595 acres.

The Surveyor-general further states, there is no documents deposited in his office, by the late Commissioners, by which the quantity of land, certified to Connecticut Settlers, can be ascertained.

The Surveyor-general gives a suppositious statement of the amount of lands, certified to Connecticut Settlers, to be 216,234 acres. The difference between this amount, and that given by the Secretary of the Land-office, is about 51,000 acres. Neither of the Officers pretended, that any reliance can be placed on this part of their reports; and the only important fact connected with it is, that the proceedings of the Commissioners have been exceedingly irregular.

As a reason why the estimation of the certified lands, as stated by the Secretary, must be deemed too great, the Surveyor-general has informed the Committee that, in comparing the separate returns of survey, with the connected draughts, it was discovered that, where an undivided Connecticut claim was certified, the whole undivided tract was described in the certificate given to each Claimant; and that, by these means, the amount of the certificate-lists may appear to be greater than it really is.

The Committee applied, by letter, to two of the late Commissioners, for an explanation of this difficulty; but they have given no information. It will be

found the amount of acres certified, as reported by the Secretary of the Land-office, exceeds the whole amount of land in the Fifteen Townships 15,554 acres. It follows, then, as a reasonable conclusion, that all the land in said Townships has been certified, if not more.

The Pennsylvania claims for lands in said Townships, of date prior to the of March, 1787, not released to the Commonwealth, may be compensated by suits at Law. Nothing, in the opinion of the Committee, has yet occurred that would make it proper to alter the Law on this Subject.

The quantity of land held by Pennsylvania Claims, for which Suits may be brought, it is stated by the report of the Commissioners, under the Act of 1799, is not considerable: And, however great the chance may be, for the State to pay a higher valuation for said lands, on the verdict of Juries, than by appraisement of Commissioners; experience testifies, that the expence of opening the Commission again would be likely to exceed this difference.

The Committee are of opinion, that it would be proper to ascertain the amount of lands certified to Connecticut Settlers, in the Fifteen Townships, as well as the amount uncertified; the amount of lands released by Pennsylvania Claimants, and compensated; those uncompensated; those not released; and those for which suits may be brought. They therefore submit the following Resolution:

*Resolved, by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met,* That the Secretary of the Land-office and Surveyor-general be, and they hereby are, directed to ascertain the amount of acres of land certified to Connecticut Settlers, in the Fifteen Townships, in Luzerne county, by the late Commissioners; the amount uncertified; the amount released, by Pennsylvania Claimants; the amount compensated, and uncompensated; the amount for which suits have been or may be brought, against the State; and the probable value of the latter; together with a draught of each township, with the different lots certified, by the late Commission-



ers, to Connecticut Settlers laid down on the draught of each township, if such ascertainment can be effected, and if such draught can be made out, from documents and draughts of survey deposited in either of the Land-offices: And that the said Officers be, and they hereby are, directed to make a joint report, agreeably to the above principles, to the Legislature, during the first week of the next session.

Ordered to lie upon the table.

Mr. Rahm, from the Committee to whom was referred the Petition of Philip Fitzimmons, made report; which was read as follows, *viz.*

That the Committee have carefully examined his case; and, by referring to the books in the office of the Comptroller-general, it appears that a certificate, No. 3654, has been issued in favor of the petitioner: But it does not appear, on the said books, that the certificate ever was redeemed. The petitioner, however, acknowledges that he received the amount of the said certificate: But says there is due to him, from the State, about one and a half year's pay; for which he prays remuneration.

The Committee are of opinion, that his statement is not sufficient evidence, to substantiate the claim of the petitioner; and therefore submit the following Resolution:

*Resolved*, That the Petitioner have leave to withdraw his petition.

On motion of Mr. Rahm and Mr. Roberts,

The said report was again read, considered, and adopted.

Mr. Irish, from the Committee to whom was referred the petition of Christopher M'Michael, made the following Report,

That the Committee have had the petition and document annexed thereto under consideration, and are of opinion, that the petitioner has not produced to the Legislature sufficient to entitle him to the prayer of his petition, as it would be opening a door for a great number of claims, of a similar nature, that have been refused to others of equal merit. For which reason the

Committee submit the following Resolution, for the consideration of Senate:

*Resolved*, That Christopher M'Michael have leave to withdraw his petition and document.

On motion of Mr. Lacock and Mr. Irish,

The said report was again read, considered, and adopted.

Mr. Miller, from the Committee to whom was referred, on the 23d of this month, the petition of Samuel Brady, on leave now given, reported the Bill, entitled, "*An Act for the Relief of Samuel Brady;*" which was read the first time.

On motion of Mr. Sommer and Mr. Weaver,

*Agreed*, That Mr. Preston be added to the Committee to whom was referred, on the 6th of this month, the petition of the subscribers thereto, dealers and manufacturers of Gunpowder.

The Bill, entitled, "*An Act establishing an Academy in Carmichaelstown, in the County of Greene,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents,*" was read the third time.

Whereupon,

The question, Shall this Bill, pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, “ *A further Supplement to an Act, entitled, ‘ An Act directing the Mode of settling Accounts in the Land-office, and to prevent Frauds in obtaining Land-warrants,’*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, “ *An Act for the Relief of Thomas Campbell, of the County of York,*” was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Lacock and Mr. Roberts; and, on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Blocher,  
Brady,  
Doty,  
Gress,  
Heston,  
Irish,  
Lattimore,  
Mayer,  
Miller,

NAYS.  
Messrs. Hiester,  
Lacock,  
M'Arthur,

YEAS.  
Messrs. Mitchell,  
Preston,  
Rahm,  
Roberts,  
Slaymaker,  
Sommer,  
Stevenson,  
Udree,  
Wayne. 18.

NAYS.  
Messrs. Weaver,  
Lane (*Speaker*). 5.

Eighteen Yeas, five Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That said Bill be presented to the House of Representatives, for concurrence.

The Bill, entitled, “ *An Act making perpetual an Act, entitled, ‘ An Act to regulate the Payment of Costs on Indictments, and the second Section of the Act, entitled, ‘ An Act explanatory of an Act, entitled, ‘ An Act to regulate the Payment of Costs on Indictments;’*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

• *Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, “ *An Act to afford immediate Relief to John Huton, a Soldier during the revolutionary War, and to grant him an Annuity,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the Bill with amendments; in which the concurrence of that House is requested.

The amendments are merely verbal; and in the title strike out the word, ‘during,’ and insert the word ‘in,’ in place thereof.

The Bill, entitled, “ *An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned,*” was read the second time, as reported by Committee of the Whole, on the 25th Instant, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act to provide for the Payment of the Taxes due on the Lands of the late John Nicholson, on which the State had a Lien,*” was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

• The Bill, entitled, “ *An Act supplementary to the Act, entitled, ‘An Act to prevent the Exportation of Bread and Flour not merchantable, and for repealing, at a certain Time, all the Laws heretofore made for that Purpose, and the several Supplements thereto;’*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Udree in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill without amendment.

The Bill, entitled, "*An Act to authorize and direct the Governor to incorporate a Company, for erecting a Toll-bridge over Frenchcreek, near the Town of Meadville, in the County of Crawford;*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of the Heirs of Adam Rickabach,*" was read the second time, and considered by section.

Section 1 being under consideration,

The question, on agreeing thereto, being put, was determined in the negative; and so the Bill was lost.

The Bill, entitled, "*An Act appropriating a Sum of Money, for making the Navigation of Frenchcreek more safe and certain,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Erwin in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for concurrence, the Bill, entitled,

'An Act for the Inspection of Flour, in the Western Counties of this State.'

And a Resolution,

'Relative to the Distribution of certain Laws.'

He returned the Bill, entitled,

'A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeping in Repair the Public Roads and Highways within this Commonwealth, and for laying out private Roads.'

And informed, that the House of Representatives have passed the said Bill with amendments; in which the concurrence of Senate is requested.

He presented, for signature, the Bills, entitled, as follow :

1. An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes.

2. An Act granting to Samuel M'Neill an Annuity for Life.

Whereupon,

The Speaker signed the said Bills.

The Bill and Resolution, presented for concurrence, were severally read the first time.

The amendments, by the House of Representatives, to the Bill, entitled, "*A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeping in Repair the Public Roads and Highways within in this Commonwealth, and for laying out private Roads,'*" were read as follow, viz.

Section 1, line 7. Strike out the word 'to.' And add to the end of the section the following:

"*Provided, always, That it shall not be lawful for any road or part of road, vacated in pursuance of the provisions of this Act, to be shut up or stopped, until the road or part of road so laid out, to supply the place thereof, shall be actually opened.*"

Add a new section, to be numbered 2, as follows, viz.

*And be it further enacted, &c.* That the viewers appointed in pursuance of the 14th section of the Act to which this is a Supplement, to ascertain the damages sustained by individuals, from public roads being laid out through their lands, the said viewers shall each of them, before they proceed to assess the said damages, take an oath or affirmation, before some Judge, Alderman, or Justice of the Peace, justly and truly to value the same; and also to consider the advantages, as well as the disadvantages; of the said road.

Make section 2, as printed, read section 3.

The message from the House of Representatives, informing that that House adhere to their amendments, not concurred in by Senate, to the Bill, entitled, "*An Act to enable John Irwin, of Brushhill, Westmoreland*

*County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described;*" was again read.

Whereupon,

*Resolved*, That Senate do insist upon their non-concurrence in said amendments; and

*Ordered*, That Mr. Brady, Mr. Erwin, and Mr. Miller be a Committee, to join a Committee of the House of Representatives, on the subject of said amendments; and,

That the Clerk acquaint the House of Representatives thereof.

The Bill, entitled, "*An Act for the Relief of John Vanlear*," was read the second time, and referred to Mr. Palmer, Mr. Wayne, and Mr. Roberts, to consider and report thereon.

The petition of Jane Wells (otherwise Vanlear) was read the second time, and referred to the same Committee.

Adjourned, till 9 o'clock tomorrow morning.



Tuesday, March 28, 1809.

Mr. Roberts, from the Committee to whom was referred, on the 24th of this month, the letter of the Secretary of the Commonwealth, respecting a patent for land in Claverack, one of the Fifteen Townships, in Luzerne County, made report; which was read as follows, *viz.*

That, from an examination of the subject, they find there is no exactly similar case can occur, under the Act of 1799. The Commissioners have, in some other instances, issued certificates for more than four hundred acres and allowance; but much the greater number are under that amount. The settlement of the lawfulness of this principle in one case, must govern all.

It appears the undivided moiety of 12,328 acres of land, being the greater part of Claverack township, lying on both sides of the river Susquehanna, was included in a certificate issued by the Commissioners,

for settling the Luzerne Controversy, before the passing of the last Supplement. The remaining undivided moiety was certified, as aforesaid, under the last Supplement.

Neither the courses and distances of the separate lots were returned to the Land-office; nor was there any way to divide the two rights. The Board of Property therefore had but one of two things to do: To grant a patent for the whole two certificates, or refuse it. They have granted it; and it now remains with the Secretary of the Commonwealth for affixing the seal to it.

The manner in which the Connecticut lots were laid down, in the Fifteen Townships, must have been understood by the Legislature of 1799, from the frequent mention of them in the fifth section of the Act of that year; the section in which the principles of issuing certificates are laid down.

From a deliberate consideration of the Law of 1799, and its Supplements, the Committee are clearly of opinion, that the object of the Legislature, in passing that Law, was to confirm the lands therein mentioned to the Settlers resident on the lots, under rights acquired from the Connecticut Susquehanna Company; and not to Speculators.

The Supreme Court is invested with the Power of compelling a compliance with the Laws, in the last resort; and, while the propriety of issuing a patent can be determined by that tribunal, it is not proper for the Legislature to take further order in the business. The Committee therefore submit the following Resolution.

*Resolved, by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, That the Governor be, and he hereby is, required to direct the Attorney-general to appear in behalf of the State, in case an application should be made to the Supreme Court, for a Mandamus to the Secretary of the Commonwealth, in the case of the application for a patent for the Mammoth Farm, in the township of Claverack, in Luzerne County.*

Ordered to lie upon the table.



Mr. Palmer, from the Committee to whom was yesterday referred the Bill, entitled, "*An Act for the Relief of John Vanlear,*" and the petition of Jane Wells, otherwise Vanlear, reported the Bill without amendment.

Mr. Sommer, from the Committee to whom was referred, on the 6th of this month, the memorial of the subscribers thereto, dealers and manufactures of Gunpowder, on leave now given, reported the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act, for securing the City of Philadelphia, and the Neighborhood thereof, from Damage by Gunpowder;'*" which was read the first time.

The Bill, entitled, "*An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act to provide for the Payment of the Taxes due on the Lands of the late John Nicholson, on which the State had a Lien,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise and direct the Governor to incorporate, a Company, for erecting a Toll-bridge over Frenchcreek, near the Town of Meadville, in the County of Crawford,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act supplementary to the Act, entitled, 'An Act to prevent the Exportation of Bread and*

*Flour not merchantable, and for repealing, at a certain Time, all the Laws heretofore made for that Purpose, and the several Supplements thereto;*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, four Bills, entitled, respectively as follow, *viz.*

1. A Supplement to an Act, entitled, 'An Act to authorise Robert Kennedy, his Heirs and Assigns, to dig and support a Millrace in and adjacent to the River Schuylkill, near its Falls.'

2. An Act to dissolve the Marriage of Peter Rickabach and Ann his Wife.

3. An Act to repeal an Act, entitled, 'An Act establishing an Auctionstore in the Borough of Lancaster.'

4. An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity.

He returned the Resolution

'For instructing and requesting our Senators and Representatives, in Congress, to exert themselves to procure a Law to establish Weights and Measures.'

And informed that the House of Representatives have passed said Resolution without amendment.

He presented, for signature, two Bills, entitled, as follow, *viz.*

1. An Act concerning Sentences of foreign Prize-courts.

2. An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice.'

And informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

'An Act to afford immediate Relief to John Huton, a Soldier during the revolutionary War, and to grant him an Annuity.'

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bills presented for signature.

The Bill, entitled, "*An Act appropriating a Sum of Money, for making the Navigation of Frenchcreek more safe and certain,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to,

The title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land in the County of Northampton,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Miller in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Gress in the chair, the consideration of the Bill, entitled, "*An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, at the Mouth of Yellowcreek.*"

And, after some time,

The Committee rose, and reported the Bill without amendment.

On motion,

The said Bill was considered by section, and agreed to.

The preamble and title were severally agreed to.

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of William M'Kibben,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

The Clerk of the House of Representatives presented, for signature, three Bills, entitled, respectively as follow, *viz.*

1. An Act making perpetual an Act, entitled, 'An Act to regulate the Payment of Costs on Indictments; and the second Section of an Act, entitled, 'An Act explanatory of the Act, entitled, 'An Act to regulate the Payment of Costs on Indictments.'

2. An Act to afford immediate Relief to John Huton, a Soldier in the revolutionary War, and to grant him an Annuity.

3. An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic.

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Resolution,

'Relative to the Mandamus of the Supreme Court of the United States, in the case of Gideon Olmstead.'

On motion of Mr. Roberts and Mr. Lacock,

The Senate adjourned, till 3 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

The Bill, entitled, "*An Act for the Sale of vacant Land within certain Parts of this Commonwealth,*" was read the second time, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Wayne,

To postpone the further consideration of the Bill, generally; which was agreed to.

The Bill entitled, "*An Act for the Relief of Samuel Brady,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

The Secretary of the Commonwealth presented two messages from the Governor, which were read as follow, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return the same to the Houses in which they respectively originated, *viz.*

1. An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safe-harbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible.

2. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

3. An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mifflin.

4. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road, beginning at or near Kello's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington.

5. An Act granting an Annuity to John Boyls, a Sergeant in the late revolutionary War.

SIMON SNYDER.

*Lancaster, March 28, 1809.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

To encourage and to patronize the Arts is, at all times, worthy of the peculiar regard of an enlightened

Legislature. In a State like that of Pennsylvania, with an extensive and fertile soil, affording abundant materials for every species of manufactures; abounding with streams of water, admirably calculated for working machinery of every description; but its population, although numerous, yet inadequate, by manual labor, to bring into complete operation all its natural advantages, and its resources; the man, who devotes the energies of his mind to the invention of labor-saving machines, deserves peculiar notice.

Under this impression, I introduce to the attention of the Legislature, Mr. John G. Baxter, of the county of Philadelphia. He has brought to the Seat of Government, a machine of his own construction, upon simple principles, for manufacturing flax and hemp into yarn. It may consist of 30 or more spindles. The work performed by each, in a given time, is equal to what can be done by one person in the same time, in the ordinary way. It will not require the attendance of more than four persons; and, if the machinery be worked by water, the number of spindles may be indefinitely increased: Hence it follows, that the labor of twenty-six out of thirty persons will be saved.

I submit to the Legislature the propriety of giving him a generous price for the machine, for the purpose of its remaining at the Seat of Government, to satisfy the citizens who choose to view it, by ocular demonstration, of the immense utility of the invention, and to evince the disposition of the Legislature to patronize so meritorious a citizen.

It is scarcely necessary to enforce the suggestion by observing, that the gloomy prospects which now present themselves, in consequence of our foreign relations, would not have existed, had our progress in manufactures kept pace with our agricultural improvements; and this, probably, is to be attributed chiefly to the cause at which I have already hinted, the fewness of Laborers, and the consequent enhanced price of labor.

Never can we expect to be truly an independent Nation, until the product of our manufactories is com-

menfurate with our wants; for which our Country affords ample materials, and the genius and enterprize of our citizens are competent, if properly encouraged and directed.

SIMON SNYDER.

*Lancaster, March 28, 1809.*

On motion,

The last-mentioned message was again read, and referred to Mr. Lacock, Mr. Heston, Mr. Lattimore, Mr. Weaver, and Mr. Campbell, to consider and report thereon.

The Bill, entitled, "*An Act for the better Employment, Relief, and Support of the Poor within the Township of Germantown, in the County of Philadelphia,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rahm in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

The Bill, entitled, "*An Act for the Benefit of the Devisees of John Hart, deceased,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered,* That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Inspection of Flour, in the Western Counties of the State,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, reported progress, and had leave to sit again tomorrow.

The Clerk of the House of Representatives presented, for concurrence, three Bills, entitled, as follow, *viz.*

1. An Act authorising the Sale of the real Estate of Adam Imbody, late of Berks County, deceased.

2. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin.

3. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester.

He presented, for signature, the Bill, entitled,  
'An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned.'

And the Resolution,  
'Relative to instructing and requesting our Senators and Representatives, in Congress, to exert themselves to procure a Law to establish Weights and Measures.'

He also presented an Extract from the Journal of the House of Representatives; which was read as follows, viz.

*"In the House of Representatives.*

*March 28, 1809.*

*"Ordered, That Messrs. Montgomery, Ogle, and Moore be a Committee, to confer with a Committee of Senate already appointed, on the amendments made and insisted on by the House of Representatives, on the Bill, entitled, "An Act to enable John Irwin, of Brushhill, Westmoreland County, to sell and convey a certain Messuage, Plantation, and Lot of Ground therein described."*

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bill and Resolution presented for signature.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased,'*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered,* That the said Bill be prepared for the third reading.

The amendments, by the House of Representatives, on the Bill, entitled,—"A further Supplement to the



*Act, entitled, 'Act for laying out, making, and keeping in Repair the Public Highways within this Commonwealth, and for laying out private Roads,'* were read the second time, considered, and concurred in.

*Ordered,* That the Clerk acquaint the House of Representatives thereof.

On motion of Mr. Roberts and Mr. Sommer,

The report of the Committee of the Whole (negating the first section) on the Bill, entitled, "*An Act for the Relief of David Thomas,*" was again read, considered, and adopted; and so the Bill was lost.

On motions severally made, the following Committees were discharged from the further consideration of the subjects referred to them, respectively, *viz.*

On the 1st item of unfinished business, the Militia Establishment, appointed December 10.

On the 3d item of same report, improvements of roads, &c. December 10.

On the petition of several old Soldiers, A. Eckles, &c.

On the petition of John Patton, February 25.

On the petition of J. Heckenwelder, in behalf of William H. Kilbuck, March 10.

On the petition of Edward Shea, March 16.

On the Bill from the House of Representatives, relative to strays, February 10.

And the said Bill was recommended to the attention of Senate, at their next session.

On the Bill, "granting a tract of Donation-land to Michael Sechler," appointed January 26.

And said Bill was postponed, generally.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, three Bills, entitled, as follow, *viz.*

1. An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana.

2. An Act abolishing the Offices of the Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes.

3. An Act granting to Samuel M'Neill an Annuity for Life.

Adjourned, till 9 o'clock tomorrow morning.



Wednesday, March 29, 1809.

Mr. Erwin presented the petition of the subscribers thereto, praying that a company may be incorporated, for the purpose of erecting a bridge over the river Delaware, at the place usually called Coryell's Ferry, (now Newhope); and the said petition was twice read, and referred to Mr. Erwin, Mr. Brady, and Mr. Miller, to report thereon, by Bill or otherwise.

Mr. Roberts presented the remonstrance of the subscribers thereto, inhabitants of Philadelphia and Montgomery counties, stating that by an Act of Assembly, passed at the last session, Robert Kennedy was authorized to erect a dam in the river Schuylkill, at the Falls thereof, and to make a Lock-navigation for the passage of boats, &c. on the eastern side of said river; that they have been informed a petition is now before the Legislature, praying that the Lock aforesaid may be placed on the western, instead of the eastern, side of the river; against which they remonstrate, for reasons stated at large; and the said remonstrance was twice read, and referred to the Committee of the Whole, when that Committee shall have under consideration the Bill on the subject.

Mr. Weaver, from the Committee to whom was referred, on the 25th of this month, the petition of Timothy Matlack, formerly Clerk of the Senate, made report, which was read as follows, *viz.*

That the Committee have taken into consideration the former statements made by him to Senate, together with his accounts and vouchers, to which his petition refers; and, after giving to the subject all the attention which the late period of the Session, accompanied with a press of other business, will permit, are of opinion, that there is justice in some of the claims exhibited; but, to what extent, the Committee have not time,

before the rising of the Legislature, fully and fairly to ascertain.

And as the right, by Law, to institute a suit against the Commonwealth (the prayer of his former petition) if permitted, would cause unnecessary delay and expence to him, as well as expence to the State, they incline to believe, that the Department of Accounts would be the proper tribunal to which his claim might be referred; and before whom he would receive justice, and the Commonwealth have no right to fear any injury.

The Committee therefore offer the following Resolution, *viz.*

*Resolved*, That a Committee be appointed to bring in a Bill, directing the Accountant Officers to adjust and settle the claim of Timothy Matlack, as Clerk of the Senate, so far as the same is founded upon services rendered under Law, or for monies advanced by him to pay the contingent expences of Senate, and for which he shall not have already received compensation.

On motion, and by special order,

The said report was again read, considered, and the Resolution attached thereto adopted.

*Ordered*, That the Committee who brought in the report, be a Committee for the purpose expressed in the said Resolution.

The Bill, entitled, "*An Act supplementary to the Act, entitled, 'An Act to prevent the Exportation of Bread and Flour not merchantable, and for repealing, at a certain Time, all the Laws heretofore made for that Purpose, and the several Supplements thereto,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act appropriating a Sum of Money, for making the Navigation of Frenchcreek more safe and certain,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land in the County of Northampton,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of the Juniata, near the Mouth of Yellowcreek,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. The amendments are:

In lieu of the 3d section, insert a provision, that Militiamen, on days of training, &c. may pass the Bridge Toll-free. Reduce the Toll, of foot passengers, to one cent. Strike out the preamble. With some verbal amendments.

The Bill, entitled, "*An Act for the Benefit of the Devisees of John Hart, deceased,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act for the Relief of William M'Kibben*," was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble was agreed to.

The title having been amended, by adding thereto the words, 'and George Long,' and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Bill, entitled, "*An Act granting an Annuity to Samuel Brady*," was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the better Employment, Relief, and Support of the Poor, within the Township of Germantown, in the County of Philadelphia*," was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Wayne in the chair, the consideration of the Bill, entitled, "*An Act for the Inspection of Flour, in the Western Counties of this State*."

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

Thereupon,

On motion of Mr. Roberts and Mr. Lacock,

The said Bill was considered by section, and agreed to.

The title having been amended, so as to read, “ *An Act repealing an Act for the Inspection of Flour, in certain Western Counties of this State,*” and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, five Bills, entitled, respectively as follow, *viz.*

1. A Supplement to an Act, entitled, ‘An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware.’

2. A Supplement to the Act, entitled, ‘An Act to provide for the Erection of a House, for the Employment and Support of the Poor in the County of Cumberland.’

3. A further Supplement to the Act, entitled, ‘An Act for offering Compensation to the Pennsylvania Claimants of certain Lands in the Seventeen Townships, in the County of Luzerne, and for other Purposes therein mentioned.’

4. An Act establishing, in Part, and authorising Commissioners to lay out, a State Road from Pittsburg, through Beavertown, to the Western Boundary of the State.

5. An Act to grant a certain Tract of Land to the Erie Manufacturing Company.

He returned the Bill, entitled,

‘An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents.’

And informed, that the House of Representatives had passed the said Bill without amendment.

He presented, for signature, the Resolution,

‘Relative to the Mandamus of the Supreme Court, in the Case of Gideon Olmstead.’

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Resolution presented for signature.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the respective Houses in which they originated, *viz.*

1. An Act for the better establishing and confirming the Boundaries of the Town and Out-lots of the Town of Indiana.

2. An Act granting to Samuel M'Neill an Annuity for Life.

3. An Act abolishing the Offices of Receiver-general, and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes.

SIMON SNYDER.

*Lancaster, March 29, 1809.*

The Bill, entitled, "*An Act to encourage and facilitate the Completion of the Frankford and Bristol Turnpike Road,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Rahm in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the said Bill with amendments; which were read as reported.

On motion of Mr. Sommer and Mr. Wayne,

The said Bill, as reported by Committee of the Whole, was considered by section, and agreed to.

The title having been amended, so as to read, "*An Act to encourage and facilitate the Completion of the Frankford and Bristol, and the Bustleton and Smithfield, Turnpike Roads,*" and agreed to.

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise Walter Smith and William Patterson, Guardians of the minor*

*Children of Edward Abbott, deceased, to sell and convey certain real Estate,"* was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Doty in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first section negatived.

On motion of Mr. Weaver and Mr. Mitchell,

The Senate proceeded to the consideration of the report of the Committee of the Whole, on said Bill.

Whereupon,

The Yeas and Nays on the question, Will Senate agree to the report of the Committee of the Whole? were required by Mr. Wayne and Mr. Mayer; and, on the question being put, the Members voted as follow, viz.

YEAS.

Messrs. Blocher,  
Doty,  
Grefs,  
Heston,  
Hiefter,  
Irish,  
Lacock,  
Lattimore,  
Mayer,

NAYS.

Messrs. Campbell,  
Miller,

YEAS.

Messrs. M'Arthur,  
Mitchell,  
Palmer,  
Roberts,  
Slaymaker,  
Sommer,  
Stevenson,  
Weaver,  
Lane (*Speaker*). 18.

NAYS.

Messrs. Udree,  
Wayne. 4.

Eighteen Yeas, four Nays; by which it appeared that the question was determined in the affirmative; and so the Bill was lost.

The Bill, entitled, "*An Act authorising the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,  
*Ordered*, That said Bill be prepared for the third reading.



Mr. Lacock read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act prescribing the Form of an Oath or Affirmation, in addition to the Oaths or Affirmations heretofore administered to the Members of the Senate and House of Representatives of this Commonwealth;*" which was read the first time.

On motion of Mr. Mitchell and Mr. Lacock,

The Senate adjourned, till half past 3 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing that he had this day transmitted, to the House of Representatives fundry documents and depositions, in the case of complaint against William Tate, Esquire, a Justice of the Peace in the county-district of Clearfield; and the said letter was read, and

Laid upon the table.

Mr. Weaver, from the Committee appointed, this morning, for that purpose, reported the Bill, entitled, "*An Act directing the Accountant Officers to settle and adjust the Claim of Timothy Matlack, formerly Clerk of the Senate;*" which was read the first time.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, respectively as follow, viz.

1. An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice.'

2. An Act concerning Sentences of foreign Prize-courts.

3. An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic.

4. An Act making perpetual an Act, entitled, 'An Act to regulate the Payment of Costs on Indictments, and the second section of an Act, entitled, 'An Act explanatory of the Act, entitled, 'An Act to regulate the Payment of Costs on Indictments.'

5. An Act to afford immediate Relief to John Hutton, a Soldier in the revolutionary War, and to grant him an Annuity.

6. An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned.

And a Resolution,

‘ Respecting Weights and Measures.’

Mr. Erwin, from the Committee to whom was, this morning, referred the petition of the subscribers thereto, for a bridge over the river Delaware, at Coryell’s Ferry, or Newhope, on leave then given, reported the Bill, entitled, “ *An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Newhope;*” which was read the first time.

Agreeably to order,

The Senate resumed, in Committee of the Whole, Mr. Miller in the chair, the further consideration of the Resolution, “ *Directing a certain Number of the General Election-laws to be printed.*”

And, after some time,

The Committee rose, and reported the Resolution negatived.

On motion of Mr. Doty and Mr. Roberts,

The report of the Committee of the Whole, on the said Resolution, was considered and adopted; and so the Resolution was lost.

The Bill, entitled, “ *A further Supplement to an Act, entitled, ‘ An Act for securing the City of Philadelphia and the Neighborhood thereof from Damage by Gunpowder,’*” was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered,* That said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof,*” was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On motion of Mr. Roberts and Mr. Rahm,

The Report of the Committee, on the 8th item of unfinished business, read on the 27th of this month, was again read, considered, and the Resolution attached thereto adopted.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill entitled, "*An Act for the Relief of John Vanlear*," was read the second time, as reported by Committee, of the Whole, yesterday, considered by section, and agreed to.

The preamble being under consideration,

A motion was made, by Mr. Lacock and Mr. Roberts,

To postpone the same, together with the Bill, for the present; which was agreed to.

The Clerk of the House of Representatives presented, for concurrence, a Resolution,

'Granting a Part of the Statehouse, in the City of Philadelphia, to a Company, to be occupied as a Factory-hall.'

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

'An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, near the Mouth of Yellowcreek.'

The Resolution presented for concurrence was read the first time.

On motion of Mr. Roberts and Mr. Lacock,

The Senate resumed the consideration of the Bill, entitled, "*An Act concerning Contempts of Courts*," postponed, for the present, on the 22d of last month.

The amendment offered by Mr. Brady and Mr. Miller recurring,

After debate,

The Yeas and Nays, on agreeing thereto, were required by Mr. Brady and Mr. Roberts; and, on the question being put, the Members voted as follow, viz.

YEAS.  
Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Mayer,

NAYS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Hiestler,  
Irish,  
Lacock,  
M'Arthur,

YEAS.  
Messrs. Miller,  
Rahm,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 12.

NAYS.  
Messrs. Mitchell,  
Palmer,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 13.

Twelve Yeas, thirteen Nays ; by which it appeared that the question was determined in the negative.

The section was agreed to.

The remaining sections and title of the Bill having been agreed to,

On the question, Shall this Bill be prepared for the third reading ?

The Yeas and Nays were required Mr. Wayne and Mr. Brady ; and, the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Blocher,  
Borrows,  
Doty,  
Hiestler,  
Irish,  
Lacock,  
M'Arthur,

NAYS.  
Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Mayer,

YEAS.  
Messrs. Mitchell,  
Palmer,  
Rahm,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 14.

NAYS.  
Messrs. Miller,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 11.

Fourteen Yeas, eleven Nays ; by which it appeared that the question was determined in the affirmative.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the respective Houses in which they originated, *viz.*

1. An Act to afford immediate Relief to John Hutton, a Soldier in the revolutionary War, and to grant him an Annuity.

2. An Act supplementary to an Act, entitled, 'An Act to regulate Arbitrations, and Proceedings in Courts of Justice.'

3. An Act making perpetual an Act, entitled, 'An Act to regulate the Payment of Costs on Indictments; and the second Section of an Act, entitled, 'An Act explanatory of the Act, entitled, 'An Act to regulate the Payment of Costs on Indictments.'

4. An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic.

5. An Act concerning Sentences of foreign Prize-courts.

6. An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned.

7. A Resolution, respecting Weights and Measures.

SIMON SNYDER.

*Lancaster, March 29, 1809.*

Adjourned, till 9 o'clock tomorrow morning.



Thursday, March 30, 1809.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act for securing the City of Philadelphia, and the Neighborhood thereof, from Damage by Gunpowder,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act for the better Employment, Relief, and Support of the Poor within the Township of Germantown, in the County of Philadelphia,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act concerning Contempts of Courts,*" was read the third time.

Whereupon,

The Yeas and Nays on the question, Shall this Bill pass? were required by Mr. Wayne and Mr. Lacock; and, the question being put, the Members voted as follow, *viz.*

YEAS.

Messrs. Blocher,  
Borrows,  
Doty,  
Hiester,  
Irish,  
Lacock,  
M'Arthur,

NAYS.

Messrs. Brady,  
Campbell,  
Erwin,  
Grefs,  
Heston,  
Lattimore,

YEAS.

Messrs. Palmer,  
Rahm,  
Roberts,  
Stevenson,  
Udree,  
Weaver. 13.

NAYS.

Messrs. Mayer,  
Miller,  
Slaymaker,  
Sommer,  
Wayne,  
Lane (*Speaker*). 12.

Thirteen Yeas, twelve Nays; by which it appeared that the question was determined in the affirmative.

*Ordered*, That the said Bill be returned to the House of Representatives, with information that Senate have passed the same with amendments; in which the concurrence of that House is requested.

The amendments limit the Act to two years ; with some verbal alterations.

The Bill, entitled, “ *An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof,*” was read the third time,

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, “ *An Act authorising the Secretary of this Commonwealth, to issue a Patent to George Baker, for a Lot of Ground therein mentioned,*” was read the third time.

Whereupon,

The question, Shall this Bill, pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The Bill, entitled, “ *An Act to encourage and facilitate the Completion of the Frankford and Bristol Turnpike Road,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments ; in which the concurrence of that House is requested. The amendments are :

To introduce the Bustleton and Smithfield Turnpike into the provisions of the Bill.

The Bill, entitled, “ *An Act for the Inspection of Flour in certain Western Counties of this State,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed

the said Bill with amendments; in which the concurrence of that House is requested. The amendments are:

To discontinue the inspection of Flour in the Western Counties, by repealing the Laws now in force.

The Bill, entitled, "*An Act for the Relief of William M'Kibben,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the same with amendments; in which the concurrence of that House is requested. The amendments are:

To grant similar relief to George Long.

The Bill, entitled, "*An Act to authorise and direct the Governor to incorporate, a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Wayne in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

Thereupon,

On motion of Mr. Roberts and Mr. Sommer,

The said Bill was considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to repeal an Act, entitled, 'An Act establishing an Auctionstore in the Borough of Lancaster,'*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.



The Bill, entitled, "*An Act prescribing the Form of an Oath or Affirmation, in addition to the Oaths or Affirmations heretofore administered to the Members of the Senate and House of Representatives of the Commonwealth,*" was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Newhope,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. M'Arthur in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

Thereupon,

On motion of Mr. Sommer and Mr. Erwin,

The said Bill, as reported by Committee of the Whole, was considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware,'*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That the Bill be prepared for the third reading.

The Bill, entitled, "*An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Lacock in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

The report of the Committee of Accounts, read on the 25th of this month, was again read, considered, and the Resolutions attached thereto severally adopted.

Whereupon,

Warrants were drawn on the State Treasurer, agreeably thereto.

On motion of Mr. Roberts and Mr. Mitchell,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That William Wilson, Sergeant-at-arms, be allowed the sum of sixty dollars, in addition to his daily allowance and yearly salary, for his services during the present Session; and that the Speaker draw his warrant therefor.

Whereupon,

A warrant was drawn on the State Treasurer accordingly.

On motion of Mr. Sommer and Mr. Rahm,

The following Resolution was twice read, considered and adopted, *viz.*

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of Adam Hart, for sixty dollars, being an allowance for an Assistant-doorkeeper during the Session.

Whereupon,

A warrant was drawn accordingly.

The Clerk of the House of Representatives presented, for concurrence, five Bills, entitled, respectively as follow:

1. An Act directing the Sale of the remaining Lots of Donation-land.

2. An Act for the Relief of James Seals and Samuel Israel.

3. An Act granting an Annuity to John Craig.

4. An Act granting an Annuity to Robert Varnor.

5. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Whitehorse Tavern, on the Top of the Allegheny Mountain, where the Glade Road, from Bedford to Somerset, crosses the same, through the Town of Berlin, to intersect the United States' Turnpike Road, from Fort Cumberland to Wheelen, and for other Purposes.

He returned the Bill, entitled,

‘ An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin.’

And informed, that the House of Representatives have passed said Bill with amendments; in which the concurrence of Senate is requested.

And he presented, for signature, three Bills, entitled, respectively as follow, viz.

1. An Act for the Benefit of the Devisees of John Hart, deceased.

2. An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land, in the County of Northampton.

3. A Supplement to an Act, entitled, ‘ An Act for the Relief of the Heirs of Frederick Vernon, deceased.’

The Bills presented for concurrence were severally read the first time.

The Speaker signed the Bills presented for signature.

The Bill, entitled, “ *An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin,*” was read the second time, as reported by Committee of the Whole, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

On motion of Mr. Roberts and Mr. Wayne,

The Senate resumed the consideration of the Bill, entitled, “ *An Act for the Relief of John Vanlear,*” postponed, for the present, yesterday.

The consideration of the preamble recurring,

A motion was made, by Mr. Roberts and Mr. Weaver,

To amend the same, by striking out from the word 'board,' in line 8, to the word 'do,' in line 14; and inserting, in place thereof, the following:

'And whereas the provisions of the Laws of this State.'

Which was agreed to, and the preamble, as amended, adopted.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The petition of the subscribers thereto, inhabitants of the counties of Erie, Crawford, Venango, &c. relative to the time fixed for holding Courts of Common Pleas in the sixth District, read on the 25th of this month, was again read, and referred to Mr. M'Arthur, Mr. Lacock, and Mr. Irish, to consider and report thereon, by Bill or otherwise.

On motion of Mr. Lacock and Mr. M'Arthur,

The Senate adjourned, till half past 3 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

On motion of Mr. Mayer and Mr. Slaymaker,

The following Resolution was twice read, *viz.*

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of Adam Hart, Doorkeeper, for                dollars, as a compensation for extra services, during the present Session.

And, being under consideration,

A motion was made, by Mr. Roberts and Mr. Sommer,

To postpone the same, generally; which was agreed to.

Mr. Wayne read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act supplementary to an Act, entitled, 'An Act to alter the several Laws of this Commonwealth, relative to Domestic Attachments ;'*" which was read the first time.

Whereupon,

On motion, and by special order,

The said Bill was again read, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

Mr. Wayne read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth;'*" which was read the first time.

Whereupon,

On motion, and by special order,

The said Bill was again read, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act directing the Sale of the remaining Lots of Donation-land,*" was read the second time.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Wayne,

To postpone the further consideration thereof, and recommend the Bill to the attention of Senate, at their next Session; which was agreed to.

The Clerk of the House of Representatives presented, for signature, three Bills, entitled, respectively as follow, *viz.*

1. An Act for the better Employment, Relief, and Support of the Poor, within the Township of Germantown, in the County of Philadelphia.

2. An Act authorizing the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned.

3. An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof.

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bills, entitled:-

1. An Act concerning Contempts of Courts.
2. An Act to encourage and facilitate the Completion of the Frankford and Bristol Turnpike Road.

3. An Act for the Relief of William M'Kibben.

But that they have not concurred the amendments to the Bill, entitled,

'An Act for the Inspection of Flour, in the Western Counties of this State.'

The Speaker signed the Bills presented for signature.

The Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania,'*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, respectively, *viz.*

1. An Act for the better Employment, Relief, and Support of the Poor within the Township of Germantown, in the County of Philadelphia.

2. An Act for the Benefit of the Devisees of John Hart, deceased.

3. An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof.

4. An Act authorising the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned.

5. A Supplement to an Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased.'

6. An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land, in the County of Northampton.

Adjourned, till 9 o'clock tomorrow morning.

Friday, March 31, 1809.

Mr. Wayne presented the petition of the President, Managers, and Company of the Delaware and Schuylkill Canal Navigation, stating that, owing to a failure in payment of the subscription, by a great proportion of the Stockholders, and the abandonment, by the agents of the Company, of the suits brought, under the sanction of a decision of the Judges of the Supreme Court, for instalments due from delinquent subscribers, they are unable to proceed in the execution of the work committed to them; they therefore suggest the propriety of a certain Stock, to be created by the Company, under the sanction of the Legislature; and the said petition was twice read, and referred to Mr. Wayne, Mr. Rahm, and Mr. Brady, to consider and report thereon.

Mr. M'Arthur, from the Committee appointed for that purpose, yesterday, reported the Bill, entitled, "*An Act changing the Terms for holding Courts, in the Circuit of the Sixth District, it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth;'*" which was read the first time.

Whereupon,

On motion, and by special order,

The said Bill was again read, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act for the Relief of Samuel Brady*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to repeal the Act, entitled, 'An Act establishing an Auctionstore in the Borough of Lancaster*," was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill without amendment.

The Bill, entitled, "*An Act prescribing the Form of an Oath or Affirmation, in Addition to the Oaths or Affirmations heretofore administered to the Members of the Senate and House of Representatives of the Commonwealth,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act supplementary to an Act to alter the several Laws of this Commonwealth, relative to Domestic Attachments,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.



*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*A further Supplement to the Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Delaware, at or near Newhope,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, "*An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. The amendments are :

To grant a donation of 1000 dollars to the Academy; with one verbal amendment.

The Bill, entitled, "*An Act for the Relief of John Vanlear,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill with one amendment; in which the concurrence of that House is requested.

For the amendment, see Journal of yesterday.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to authorise the Governor to incorporate a Company, for making an Artificial Road, from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin,'*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

On leave given, Mr. Roberts read a Bill in his place, and by permission presented the same to the Chair, entitled, "*An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged on Lands which have been patented on Warrants which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and Locations, and for other Purposes,'* and an Act, entitled, '*An Act regulating and continuing the Distribution of Donation-lands,'*" which was read the first time.

Whereupon,

On motion, and by special order,

The said Bill was read the second time, considered by section, and agreed to.

Ordered, That it be prepared for the third reading.

The Bill, entitled, "*An Act establishing, in Part, and authorising Commissioners to lay out, a State Road from Pittsburg, through Beavertown, to the Western Boundary of the State,'*" was read the second time, and considered by section.

Section 1 was agreed to.

Section 2 being under consideration,

A motion was made, by Mr. Lacock and Mr. Mitchell,

To amend the section, by inserting the word 'State,' in line 4, next before the word 'Road,' so that the road be deemed a State Road; which was agreed to.

A motion was then made, by Mr. Lacock and Mr. Weaver,

Further to amend the section, by inserting a provision for depositing a copy of the draft of said Road, in the office of the Secretary of the Commonwealth; which was agreed to, and the section as amended adopted.

Section 3 being under consideration,

A motion was made, by Mr. Lacock and Mr. Weaver.

To amend the section, by inserting a provision for the payment of the Commissioners out of the State Treasury; which was agreed to, and the section as amended adopted.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act for the Erection of a House for the Employment and Support of the Poor, within the County of Cumberland,'*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

On motion,

The said Bill was considered by section, and agreed to.

*Ordered*, That it be prepared for the third reading.

The Clerk of the House of Representatives presented five Bills, for concurrence, entitled, respectively, as follow, *viz.*

1. An Act better to regulate the Inspection of Flour, in the Port of Philadelphia.

2. A Supplement to, and repealing Part of, an Act, entitled, 'An Act to encourage the patenting of Lands, and for other Purposes.'

3. An Act for the further Establishment and Regulation of Election-districts.

4. An Act authorising the Governor to subscribe for one hundred Shares of Stock, of the Downingtown, Ephrata, and Harrisburg Turnpike Road.

5. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

And he presented three Bills for signature, entitled, respectively, as follow :

1. An Act to authorise William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, near the Mouth of Yellow-creek.

2. An Act granting to certain Patentees, in Luzerne County, futher Time to record their Patents.

3. A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeing in Repair the Public Roads and Highways, within this Commonwealth, and for laying out private Roads.

Whereupon,

The Speaker signed the said Bills.

The Bills presented for concurrence were severally read the first time.

The Bill, entitled, "*An Act to grant a certain Tract of Land to the Erie Manufacturing Company,*" was read the second time, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. M'Arthur and Mr. Mayer,

To postpone the further consideration of the said Bill, generally; which was agreed to.

The Resolution, "*for the Distribution of the Laws of the present Session,*" was read the second time, considered, and concurred in.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Resolution without amendment.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *to wit*:

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the House of Representatives, in which they originated, *viz.*

1. An Act for the Benefit of the Devisees of John Hart, deceased.

2. A Supplement to an Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased.'

3. An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land, in the County of Northampton.

4. An Act authorising the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned.

5. An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof.

6. An Act for the better Employment, Relief, and Support of the Poor, within the Township of Germantown, in the County of Philadelphia.

SIMON SNYDER.

*Lancaster, March 31, 1809.*

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Whitehorse Tavern, on the Top of the Allegheny Mountain, where the Glade Road from Bedford to Somerset crosses the same, through the Town of Berlin, to intersect the United States' Turnpike from Fort Cumberland to Wheelen, and for other Purposes;*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Sommer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion of Mr. Doty and Mr. Rahm,

The Senate adjourned, till 4 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

The Speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing that he had this day transmitted to the House of Representatives fundry documents and depositions, taken in the case of Charles Stewart, Esquire, a Justice of the Peace in and for the county of Lycoming; which was read, and

Laid upon the table.

The Bill, entitled, "*An Act changing the Terms for holding the Courts in the Circuit of the Sixth District, it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth;'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill entitled, "*An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money yet due and remaining charged, on Lands which have been patented on Warrants*

*which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and Locations, and for other Purposes;* and an Act, entitled, “*An Act regulating and continuing the Distribution of Donation-lands;*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

Ordered, That it be presented to the House of Representatives, for concurrence.

The Bill, entitled, “*An Act for the Relief of James Seals and Samuel Israel,*” was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, “*An Act granting an Annuity to Robert Varnor,*” was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That it be prepared for the third reading.

The amendments, by the House of Representatives, on the Bill, entitled, “*An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also to allow the Parties, in Civil Suits, the Privilege of peremptorily challenging a certain Number of Jurors,*” read on the 9th of last month, were again read, and concurred in.

Ordered, That the Clerk inform the House of Representatives thereof.

The amendment, by the House of Representatives, on the Bill, entitled, “*An Act to authorise the Governor to incorporate a Company, for erecting a Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin,*” was read the second time, considered, and concurred in.

Ordered, That the Clerk inform the House of Representatives thereof.

The Resolution, “*directing the Attorney-general to appear and defend the Interest of the State, in Case a Mandamus should issue in the Case of the Mammoth*”

*Farm,"* was read the second time, considered, and adopted.

*Ordered,* That it be presented to the House of Representatives, for concurrence.

Adjourned, till 9 o'clock tomorrow morning.

—:o:~:o:—

Saturday, April 1, 1809.

Mr. Wayne, from the Committee to whom was, yesterday, referred the petition of the President, Managers, and Company of the Delaware and Schuylkill Canal Navigation, on leave now given, reported the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act to enable the Governor of this Commonwealth to incorporate a Company, for opening a Canal and Water-navigation, between the Rivers Delaware and Schuylkill;*" which was read the first time.

The Bill, entitled, "*An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered,* That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

The amendments provide, that persons attending military trainings, funerals, and religious worship, may pass said bridge toll-free.

The Bill, entitled, "*An Act establishing, in Part, and authorising Commissioners to lay out, a State Road from Pittsburg, through Beavertown, to the Western Boundary of the State,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered,* That it be returned to the House of Representatives, with information that Senate have passed



said Bill with amendments; in which the concurrence of that House is requested.

These amendments provide, that a draft of the Road shall be deposited in the office of the Secretary of State; and the expences of the Commissioners paid by the State; with some verbal amendments.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to provide for the Erection of a House, for the Employment and Support of the Poor, in the County of Cumberland,'*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act for the Relief of James Seals and Samuel Israel,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act granting an Annuity to Robert Varnor,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act to authorize the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Whitehorse Tavern, on the Top of the Allegheny Mountain, where the Glade Road from Bedford to Somerset crosses the same, through the Town of Berlin, to intersect the United States' Turnpike Road from Fort Cumberland to Wheelen, and for other Purposes;*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Sections 1 and 2 were agreed to.

Section 3 was disagreed to.

The remaining Sections were severally agreed to.

The title having been amended, so as to read “ *An Act authorizing the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Southern Turnpike Road, in the County of Somerset or Westmoreland, to intersect the United States’ Turnpike Road from Cumberland to Wheelen, in the County of Fayette; and, to appoint Commissioners for the Purpose of Laying out a State Road from the Town of Indiana, in the County of Indiana, to intersect the State Road leading from Milesburg to Le Bauff, between the Mouth of Anderson’s Creek, in Clearfield County, and Milesburg, in Centre County,*” and agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill without amendment.

Thereupon,

On motion of Mr. Sommer and Mr. Slaymaker, The said Bill was considered by section, and agreed to.

The preamble and title having been agreed to,

Ordered, That the said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act granting an Annuity to John Craig,*” was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

The Bill, entitled, “ *An Act authorizing the Governor to subscribe for one hundred Shares of Stock, of the*

*Downingtoun, Ephrata, and Harrisburg Turnpike Road,"* was read the second time, and considered by section.

The 1st and only section being under consideration,

A motion was made, by Mr. Roberts and Mr. Hiefter,

To amend the section, by reducing the number of Shares to be subscribed for, from one hundred to fifty ; which was not agreed to.

Thereupon,

The Yeas and Nays, on agreeing to the section, were required by Mr. Roberts and Mr. Wayne ; and, the question being put, the Members voted as follow, viz.

YEAS.	YEAS.
Messrs. Borrows,	Messrs. Mayer,
Brady,	Miller,
Campbell,	Mitchell,
Doty,	Rahm,
Erwin,	Slaymaker,
Heston,	Sommer,
Lattimore,	Wayne. 14.
NAYS.	NAYS.
Messrs. Blocher,	Messrs. Roberts,
Gress,	Stevenson,
Hiefter,	Udree,
Irish,	Weaver,
Lacock,	Lane ( <i>Speaker</i> ). 11.
M'Arthur,	

Fourteen Yeas, eleven Nays ; by which it appeared that the question was determined in the affirmative.

The title of the Bill having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Clerk of the House of Representatives presented, for concurrence, the Bills, entitled, as follow, viz.

1. An Act empowering certain Trustees, therein named, to convey three Tracts or Pieces of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies arising from the Sale thereof, for the Purposes therein mentioned.

2. An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the Governor to incorporate a Company to make an Artificial Road, from a Point near Gallaher's Sawmill to the Borough of Chambersburg.

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

‘An Act for the Relief of John Vanlear.’

And he presented, for signature, seven Bills, entitled, respectively as follow :

1. An Act concerning Contempts of Court.

2. A Supplement to an Act entitled, ‘An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware.

3. An Act to encourage and facilitate the Completion of the Frankford and Bristol, and the Bustleton and Smithfield, Turnpike Roads.

4. An Act for the Relief of William M’Kibben and George Long.

5. An Act to repeal an Act, entitled, ‘An Act establishing an Auctionstore in the Borough of Lancaster.’

6. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester.

7. An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin.

And a Resolution, ‘relative to the Distribution of the Laws of the present Session.’

Thereupon,

The Speaker signed the said Bills and Resolution.

The Bills presented for concurrence were severally read the first time.

The Bill, entitled, "*An Act for the further Establishment and Regulation of Election-districts,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Weaver in the chair for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments, which were read as reported.

The Bill, entitled, "*An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Stevenson in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion of Mr. Sommer and Mr. Rahm,

The following Resolution was twice read, considered, and adopted, *viz.*

*Resolved*, That the Speaker draw his warrant on the State Treasurer, in favor of George Bryan, Clerk of the Senate, for one hundred and ten dollars (in addition to a warrant heretofore drawn) to enable him to settle with the Printers of the Senate; he to account for the same.

Thereupon,

A warrant was accordingly so drawn.

On motion of Mr. Mitchell and Mr. Weaver,

The Senate adjourned, till 4 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

The Bill, entitled, "*An Act to regulate the Inspection of Flour, in the Port of Philadelphia,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Slaymaker in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with the first Section negatived.

Thereupon,

The Yeas and Nays on the question, Will Senate adopt the report of the Committee of the Whole? were required by Mr. Doty and Mr. Sommer; and, the question being put, the Members voted as follow, viz.

YEAS.	YEAS.
Messrs. Borrows, Brady, Campbell, Gress, Hiestler, Irish, Lacock, Lattimore, M'Arthur,	Messrs. Mitchell, Palmer, Rahm, Roberts, Slaymaker, Stevenson, Udree, Weaver, Lane ( <i>Speaker</i> ). 18.
NAYS.	NAYS.
Messrs. Doty, Erwin, Heston, Mayer,	Messrs. Miller, Sommer, Wayne. 7.

Eighteen Yeas, seven Nays; by which it appeared that the question was determined in the affirmative; and so the Bill was lost.

The Bill, entitled, "*A Supplement to, and repealing Part of, an Act, entitled, 'An Act to encourage the patenting of Lands, and for other Purposes,'*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with one amendment; which was read as reported.

The Resolution, "*granting a Part of the Statehouse, in the City of Philadelphia, to a Company, to be occupied as a Factory-hall,*" was read the second time.

Whereupon,

The question, Shall this Resolution pass? being put, was determined in the negative.

On motion, and by special order,

The Bill, entitled, "*An Act empowering certain Trustees, therein named, to convey three Tracts or Pieces of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies arising from the Sale thereof, for the Purposes therein mentioned,*" was read the second time, considered by section, and agreed to.

The preamble and title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

On motion, and by special order,

The Bill, entitled, "*An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the Governor to incorporate a Company to make an Artificial Road, from a Point near Gallaher's Saw-mill to the Borough of Chambersburg,*" was read the second time, considered by section, and agreed to.

The title having been agreed to,

Ordered, That said Bill be prepared for the third reading.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunction with the Committee of the House of Representatives, had presented to the Governor, for his approbation, the Bills, entitled, respectively as follow, viz.

1. An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin.

2. An Act concerning Contempts of Courts.

3. A Supplement to an Act, entitled, "An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County,

at or near the Gap Tavern, to the Line of the State of Delaware.

4. An Act to encourage and facilitate the Completion of the Frankford and Bristol, and the Bustleton and Smithfield, Turnpike Roads.

5. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester.

6. An Act for the Relief of William M'Kibben and George Long.

7. An Act to repeal an Act, entitled, 'An Act establishing an Auctionstore in the Borough of Lancaster.

8. An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents.

9. An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, at the Mouth of Yellow-creek.

10. A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeing in Repair the Public Roads and Highways, within this Commonwealth, and for laying out private Roads.'

And also, two Resolutions, *to wit* :

1. For the Distribution of the Laws of the present Session, &c.

2. Relative to the Mandamus of the Supreme Court of the United States, in the Case of Gideon Olmstead.

Adjourned, till 9 o'clock tomorrow morning.

—:o:o:~:o:o:~—

Monday, April 3, 1809.

Mr. Lacock presented the petition of the subscribers thereto, inhabitants of Bucks county, praying for a division of the said county; which was read, and

Laid upon the table.

Mr. Lacock, from the Committee to whom was referred the petition of the subscribers thereto, inhabi-



· tants of Mifflin county, made report, which was read as follows, *viz.*

That, having examined the documents and subject referred to them, are enabled to make the following statement, *viz.* That Ezra Doty, at the time of his election, was the Treasurer of Mifflin county, and acted as such, by a Deputy, after he took his Seat in the Senate. That, on the 4th day of March, he resigned the said office; which resignation was accepted by the unanimous consent of the Commissioners, and another Treasurer appointed in his stead.

Whether the holding an office, such as held by Ezra Doty, should render him ineligible, and unfit him to be elected by the citizens in his district, is a question on which the Committee forbore to give a positive opinion: It would, however, appear to them, that such a rigid construction of the Constitution would narrow the ground of choice, and might deprive the citizens of the talents of the most useful and experienced persons in their district; for it will be recollected, that the prohibition will extend to all offices in or under the State Government, and every department thereof.

But, without that restriction, it would seem that it fully comports with every precautionary provision of the Constitution, if the Member elect divests himself of all official authority, when he takes upon himself the discharge of his legislative functions.

On the question, whether the duty of a Senator and that of a County Treasurer or other officer (except as is excepted by the Constitution) be compatible, the Committee do not hesitate to declare it, as their opinion, that the offices are incompatible with each other; and the acts of such officers must be void, either in the one case or the other (perhaps in both). But it is most reasonable to conclude, that the inferior office in the person is abolished or merged in the superior: Neither is it constitutional for such Members to resume the duties of such inferior offices, after their term of service in the Legislature expires, without a new commission or appointment.

But, as it respects the case of Ezra Doty, he having resigned his office, as soon as dissatisfaction appeared among a portion of his constituents, it would not be necessary for the Committee further to animadvert upon this subject; more especially, when they consider that scarce a Session has occurred, under the present Constitution, in which there has not been Members in a similar situation. And, as a Bill has already passed the Senate, providing for such cases in future, the Committee offer the following Resolution, for the consideration of the Senate, *viz.*

*Resolved*, That it would be inexpedient to take further order upon this subject.

On motion,

The said report was again read, considered, and the Resolution attached thereto adopted.

The Bill, entitled, "*An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill with one amendment; in which the concurrence of that House is requested, *viz.*

Strike out the preamble.

The Bill, entitled, "*An Act granting an Annuity to John Craig,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill without amendment.

The Bill, entitled, "*An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Whitehorse Tavern, on the Top of the Allegheny Mountain, where the Glade Road from Bedford to Somerset crosses the same, through the Town of Berlin, to intersect the United States' Turnpike from*

*Fort Cumberland to Wheelen, and for other Purposes;*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

The effect of the amendments is, to leave to the discretion of the Commissioners the point for commencing said Road, on the Southern Turnpike, and striking out the Whitehorse Tavern; to strike out the appropriation contemplated to be granted for opening the Road; and directing the Commissioners to report to the Legislature, an estimate of the expence of opening the same.

The title was also amended, so as to conform to the amendments made in the Bill. See Journal of yesterday.

The Bill, entitled, "*An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The Bill, entitled, "*An Act authorising the Governor to subscribe for one hundred Shares of Stock, of the Downingtown, Ephrata, and Harrisburg Turnpike Road,*" was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the same without amendment.

The Bill, entitled, "*An Act empowering certain Trustees, therein named, to convey three Tracts or Pieces of Land, situate in Williams Township, in the County of*"

*Northampton, and to appropriate the Monies arising from the Sale thereof, for the Purposes therein mentioned,"* was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill without amendment.

The Bill, entitled, "*An Act for the further Establishment and Regulation of Election-districts,*" was read the second time, as reported by Committee of the Whole, yesterday, considered by section, and agreed to.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned,*" was read the second time, as reported by Committee of the Whole, and considered by section.

Section 1 being under consideration,

The Yeas and Nays, on agreeing thereto, were required by Mr. Lacock and Mr. Weaver; and, on the question being put, the Members voted as follow, *viz.*

YEAS.		YEAS.	
Messrs. Borrows,		Messrs. M'Arthur,	
Brady,		Miller,	
Campbell,		Mitchell,	
Doty,		Rahm,	
Erwin,		Roberts,	
Gres,		Slaymaker,	
Heston,		Sommer,	
Hiestor,		Udree,	
Irish,		Weaver,	
Mayer,		Lane ( <i>Speaker</i> ).	20.
NAYS.		NAYS.	
Mr. Lacock		Mr. Lattimore.	2.

Twenty Yeas, two Nays; by which it appeared that the question was determined in the affirmative.

The title having been amended, so as to conform to the amendments made in the Bill (by inserting the word 'Beaver,' immediately preceding the word 'Butler') and agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to, and repealing Part of, an Act, entitled, 'An Act to encourage the patenting of Lands, and for other Purposes,'*" was read the second time, as reported by Committee of the Whole, and considered by section.

Section 1 was agreed to.

On motion of Mr. Weaver and Mr. Roberts,

A new section was added, providing that the payment of the fees on patents, in Luzerne county, issued to Connecticut Settlers, under the Act of the 4th of April, 1799, and its Supplements, should not be affected by the Act for abolishing the offices of Receiver-general and Master of the Rolls; any thing in the last-mentioned Act to the contrary, notwithstanding.

The title having been agreed to,

*Ordered*, That said Bill be prepared for the third reading.

The Bill, entitled, "*A Supplement to an Act, entitled, 'An Act to authorise Robert Kennedy, his Heirs and Assigns, to dig and support a Mill-race in and adjacent to the River Schuylkill, near the Falls,'*" was read the second time.

Whereupon,

On motion of Mr. Roberts and Mr. Sommer,

The further consideration of said Bill was postponed; and recommended to the attention of Senate, at their next Session.

The Clerk of the House of Representatives presented, for concurrence, the Bills, entitled, as follow, *viz.*

1. An Act making Appropriations to defray certain Expences of Government.

2. An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.

And a Resolution,

‘ Relative to a further Distribution of the Digest of the Laws of this Commonwealth, printed in the German Language.’

He presented, for signature, five Bills, entitled, respectively, as follow, *viz.*

1. An Act for the Relief of John Vanlear.

2. An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, allowing peremptory Challenges, in certain Cases.

3. An Act for the Relief of James Seals and Samuel Israel.

4. An Act granting an Annuity to Robert Varnor.

5. A Supplement to the Act, entitled, ‘ An Act to provide for the Erection of a House, for the Employment and Support of the Poor, in the County of Cumberland.’

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bills, entitled, as follow, *viz.*

1. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin.

2. An Act establishing in Part, and authorising Commissioners to lay out, a State Road from Pittsburg, through Beavertown, to the Western Boundary of the State.

3. An Act establishing an Academy in the Borough of Harrisburg, in the County of Dauphin.

And he returned the Bill, entitled,

‘ An Act granting an Annuity to Samuel Brady.’

And informed, that the House of Representatives have passed said Bill without amendment.

The Bills and Resolution, presented for concurrence, were severally read the first time.

The Speaker signed the Bills presented for signature.

On motion of Mr. Weaver and Mr. Lacock,

The Senate adjourned, for half an hour.

SAME DAY.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, *viz.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return them to the respective Houses, in which they originated, *viz.*

1. A further Supplement to the Act, entitled, ‘An Act for laying out, making, and keeping in Repair the Public Roads and Highways, within this Commonwealth, and for laying out private Roads.’

2. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling’s Ford, in the Counties of Montgomery and Chester.

3. An Act concerning Contempts of Court.

4. An Act to repeal an Act, entitled, ‘An Act establishing an Auctionstore in the Borough of Lancaster.’

5. An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, near the Mouth of Yellowcreek.

6. An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents.

7. A Supplement to an Act, entitled, ‘An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware.’

8. An Act to encourage and facilitate the Completion of the Frankford and Bristol, and the Bustleton and Smithfield, Turnpike Roads.

9. An Act for the Relief of William M’Kibben and George Long.

10. An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the

River Susquehanna, at or near Harrisburg, in the County of Dauphin.

11. A Resolution, 'relative to the Distribution of certain Laws.'

12. A Resolution, 'relating to the Claim of Gideon Olmstead and others.'

SIMON SNYDER.

*Lancaster, April 3, 1809.*

On motion of Mr. Roberts and Mr. Sommer, The Bill, entitled, "*An Act relative to certain Proceedings, in the Case of the Prize-sloop Active,*" was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Palmer in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments, which were read as reported.

On motion of Mr. Lacock and Mr. Weaver, The Senate adjourned, till 3 o'clock in the afternoon.

SAME DAY, IN THE AFTERNOON.

The Resolution, "*relative to a further Distribution of the Digest of the Laws, in the German Language,*" was read the second time, considered, and adopted.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Resolution without amendment.

The Bill, entitled, "*An Act relative to certain Proceedings, in the Case of the Prize-sloop Active,*" was read the second time, as reported by Committee of the Whole, and considered by section.

The first and only section being under consideration,

A motion was made, by Mr. Lacock and Mr. Roberts,

To amend the section, by striking therefrom the words, 'therein or;' which was agreed to, and the section as amended adopted.

The preamble and title were severally agreed to.



*Ordered*, That the said Bill be prepared for the third reading.

Whereupon,

On motion of Mr. Roberts and Mr. Sommer, and by unanimous consent,

The said Bill was read the third time.

And, the question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

The amendments are:

Section 1, line 12. After the word, 'Legislature,' insert, 'passed April 3, 1809.'

Line 13. Strike out the words, 'any Law;' and insert, in place thereof, 'the Act of Assembly of April 2, 1803.'

Preamble. Strike out from the word, 'Legislature,' in line 30, to the end of the 35th line.

Strike out from the word, 'Commonwealth,' in line 42, to and including the word, 'establish,' in line 44.

The Clerk of the House of Representatives presented six Bills, for signature, entitled, respectively as follow, *viz.*

1. An Act granting an Annuity to John Craig.
2. An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife.
3. An Act empowering certain Trustees, therein named, to convey three Tracts of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies, arising from the Sale thereof, for the Purposes therein mentioned.
4. An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the Governor to incorporate a Company to make an Artificial Road, from a Point near Gallaher's Sawmill to the Borough of Chambersburg.
5. An Act authorising the Governor to subscribe for one hundred Shares of Stock, in the Downingtown, Ephrata, and Harrisburg Turnpike Road.

6. An Act granting an Annuity to Samuel Brady.

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

‘An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity.’

The Speaker signed the Bills presented for signature.

The Bill, entitled, “*An Act making Appropriations to defray certain Expences of Government,*” was read the second time.

Whereupon,

The Senate resolved itself into Committee of the Whole, Mr. Borrows in the chair, for the further consideration thereof.

And, after some time,

The Committee rose, and reported the Bill with amendments; which were read as reported.

On motion,

The Senate adjourned, till 7 o’clock in the evening.

#### SAME EVENING.

The Bill, entitled, “*An Act for the further Regulation and Establishment of Election-districts,*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested.

The amendments are:

Strike out section 8, and number the remaining sections accordingly.

In Section 21, strike out the name of ‘John M’Geary,’ and insert ‘William Sellers.’

The Clerk of the House of Representatives presented, for signature, four Bills, entitled, respectively as follow, *viz.*

1. An Act establishing an Academy in the Borough of Harrisburg, in the County of Dauphin.

2. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin.

3. An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity.

4. An Act establishing in Part, and authorising Commissioners to lay out, a State Road from Pittsburg, through Beavertown, to the Western Boundary of the State.

And he informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

‘An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.’

And also, to the Bill, entitled,

‘An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Whitehorse Tavern, on the Top of the Allegheny Mountain, where the Glade Road from Bedford to Somerset crosses the same, through the Town of Berlin, to intersect the United States’ Turnpike Road from Fort Cumberland to Wheelen, and for other Purposes.’

The Speaker signed the Bills presented for signature.

The Bill, entitled, “*A Supplement to, and repealing part of, an Act, entitled, ‘An Act to encourage the patenting of Lands, and for other Purposes,’*” was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill with amendments (see Journal, this morning); in which the concurrence of that House is requested.

The Bill, entitled, “*An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the*

*Counties of Butler, Crawford, Erie, Mercer, Venango, and Warren, in certain Cases,"* was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed the said Bill with amendments; in which the concurrence of that House is requested. Which amendments are:

To insert the word 'Beaver,' immediately preceeding the word 'Butler,' in the Bill and title; and also to insert a provision, that nothing in the Act shall be so construed, as to validate any Proceeding which may have heretofore been set aside by the Superior Courts, &c.

Adjourned, till 9 o'clock tomorrow morning.

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Tuesday, April 4, 1809.

Mr. Lacock, from the Committee appointed to confer with a Committee of the House of Representatives, on the disagreement between the two Branches of the Legislature, on the Bill, entitled, "*An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace of this Commonwealth,*" made report:

That the Joint Committee have agreed to recommend to their respective Houses the following Resolution, *viz.*

*Resolved*, That the Bill pass, with the rejection of the second section.

On motion, and by special order,

The said report was again read, considered, and adopted.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

On motions, severally made and adopted, the following Committees were discharged from the further con-

consideration of the subjects respectively referred to them, viz.

1. On the petition and memorial of the Schuylkill and Susquehanna Navigation Company; referred December 15.

2. On the 1st item of the report of unfinished business, 'Graydon's Justice;' referred December 17.

3. On the petition of the subscribers thereto, of Butler county, relative to certain taxes on lands of Warrantees, &c. referred January 17.

4. On the petition of John Morris, relative to a Donation-lot of land; referred January 21.

5. On the petition of John M'Gowan, praying a preemption right to a tract of land; referred February 18.

6. On the petition of D. and B. Townsend, requesting a loan of money from the State; referred December 17.

7. On the expediency of a further amelioration of the Penal Laws; referred January 4.

8. On the petition of the Commissioners, &c. of Beaver county, for aid in the erection of their Public Buildings, &c. referred January 21.

9. On the petition of the inhabitants, &c. of Beavertown, praying leave to sell a part of the Public Square; referred February 21.

And the 4 last items were severally recommended to the attention of Senate, at their next Session.

The Bill, entitled, "*An Act making Appropriations to defray certain Expences of Government,*" was read the second time, as reported by Committee of the Whole, yesterday, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Weaver and Mr. Roberts,

To amend the section, by increasing the appropriation, for the redemption of the unfunded-debt certificates, from forty to twenty-five hundred dollars; which was agreed to, and the section as amended adopted.

Section 2 being under consideration,

A motion was made, by Mr. Weaver and Mr. Lacock,

To amend the section, by adding thereto a provision, that the Officers of Government, therein referred to, shall exhibit the accounts and vouchers, for the contingent expences of their offices, to the Department of Accounts, who are to adjust and settle the same; which was agreed to, and the section as amended adopted.

A motion was then made, by Mr. Weaver and Mr. Roberts,

To add to the Bill a new section, to be called section 3, as follows, *viz.*

*And be it further enacted, by the authority aforesaid, That the Accountant Officers be, and they hereby are, authorised and required to take into consideration the claim of Timothy Matlack, formerly Clerk of the Senate, and adjust and settle his accounts, as Clerk of the Senate, so far as the same shall be founded upon services rendered under any Law or Laws, or for monies advanced by him, to pay the contingent expences of the Senate; and for which he has not already received compensation. And, should a balance be found to be due to the said Timothy Matlack, the State Treasurer is hereby authorised and directed to pay the same, out of any money in the Treasury, not otherwise appropriated.*

Which, being under consideration,

A motion was made, by Mr. Lacock and Mr. Hiestler,

To amend the same, by striking out the words, ‘so far as the same shall be founded upon services rendered under any Law or Laws, or ;’ which was not agreed to.

Thereupon,

The Yeas and Nays, on the section, were required by Mr. Lacock and Mr. Heston; and, on the question being put, the Members voted as follow, *viz.*

YEAS.  
Messrs. Campbell,  
Doty,  
Heston,  
Irish,  
Mayer,  
Miller,

YEAS.  
Messrs. Mitchell,  
Roberts,  
Slaymaker,  
Sommer,  
Weaver,  
Lane (*Speaker*). 12.

NAYS.

Messrs. Erwin,  
Gress,  
Hiester,

NAYS.

Messrs. Lacock,  
M'Arthur,  
Udree. 6.

Twelve Yeas, six Nays ; by which it appeared that the question was determined in the affirmative.

On motion of Mr. Weaver and Mr. Mitchell,

Another new section was adopted, and called section 4, appropriating, for Clerk-hire, &c. in the offices of Comptroller-general, Register-general, and Receiver-general, until the times fixed on by Law for the abolishing of those offices respectively.

On motion of Mr. Weaver and Mr. Erwin,

An additional section was adopted, and called section 5, authorising the Governor, in case of necessity, to borrow, on loan, the sum of twenty thousand dollars, at an interest not exceeding 5 per cent per annum.

The title of the Bill having been amended, by adding thereto the words, 'and for other purposes,' and agreed to,

*Ordered*, That the said Bill be prepared for the third reading.

On motion of Mr. Roberts and Mr. Slaymaker, and by unanimous consent,

The said Bill was read the third time.

Whereupon,

The question, Shall this Bill pass? being put, was determined in the affirmative.

*Ordered*, That it be returned to the House of Representatives, with information that Senate have passed said Bill with amendments ; in which the concurrence of that House is requested,

Which amendments are, as above ; together with an appropriation of sixteen hundred dollars, for extra Clerk-hire in the office of Secretary of the Land-office ; and some modifications of the appropriations for Clerk-hire and contingencies, in the different offices.

The Clerk of the House of Representatives presented an extract from the Journal of that House ; and he returned the Bills, entitled, respectively as follow, *viz.*

1. An Act to provide for the Education of the Poor, gratis.

2. An Act to alter and amend the Act, entitled, 'An Act directing the Mode of selling unseated Lands, for Taxes.

3. A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.'

4. An Act granting an Annuity to George Blakely.

5. An Act granting an Annuity to Hugh Quay.

6. An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged, on Lands which have been patented on Warrants which have been obtained since Surveys were originally made, in Pursuance of old proprietary Warrants and Locations, and for other Purposes;' and an Act, entitled, 'An Act regulating and continuing the Distribution of Donation-lands.'

7. An Act changing the Terms of holding the Courts in the Circuits of the Sixth District; it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'

8. An Act supplementary to an Act, entitled, 'An Act to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.'

Also, the Resolution,

'Relative to the Application for the Mammoth Farm, in Luzerne County.'

And he informed, that the House of Representatives have passed said Bills; the three first mentioned with amendments; in which the concurrence of Senate is requested; and the five last, together with the Resolution, without amendment.

He likewise informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bills, entitled, as follow, *viz.*

1. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

2. An Act for the further Establishment and Regulation of Election-districts.



2. A Supplement to, and repealing Part of, an Act entitled, 'An Act to encourage the patenting of Lands, and for other Purposes.'

The extract from the Journal of the House of Representatives was read, as follows, viz.

*"In the House of Representatives.  
April 4, 1809.*

"On motion,

"The report of the Committee, appointed to confer with a Committee of Senate, on the disagreement between the two Houses on the Bill, entitled, '*An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace of this Commonwealth,*' was read, considered, and adopted.

"Ordered, That the Clerk inform Senate of the same."

The amendments, by the House of Representatives, on the Bill, entitled, '*An Act to provide for the Education of the Poor, gratis,*' were twice read, considered, and adopted.

Ordered, That the Clerk acquaint the House of Representatives, accordingly.

The amendment, by the House of Representatives, to the Bill, entitled, "*An Act to alter and amend an Act, entitled, 'An Act directing the Mode of selling unseated Lands, for Taxes,'*" was read as follows, to wit :

Section 1, line 4. Strike out 'May,' and insert 'September.'

On motion,

The said amendment was again read, considered, and adopted.

Ordered, That the Clerk acquaint the House of Representatives thereof.

The amendments, by the House of Representatives, on the Bill, entitled, "*A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania,'*" were read as follow, to wit :

Introduce two new sections, as follow, viz.

Section 2. *And be it further enacted, by the authority aforesaid, That the Collectors of taxes, throughout this*

Commonwealth, shall receive 5 per cent on all monies by them collected, as Exempt-fines; which shall be allowed to the County Treasurers, in the settlement of their accounts with the Auditor-general.

Section 3. *And be it further enacted, by the authority aforesaid,* That the enrolled militia, composing the first battalion of the 136th regiment, shall exercise in the following manner, *viz.* On the days appointed by Law for regimental and battalion trainings, in the months of May and October, the first and fourth companies of said regiment shall meet together, and exercise at some central place; and the fifth and eighth companies shall meet on the following day, at some other place; the places for exercising to be fixed by the Field Officers of the regiment; and to be subject to the same fines, penalties, and regulations, as if trained by regiment. And it shall be the duty of the proper Brigade-inspector, before the first day of May next, to give at least ten days notice, and proceed to hold elections, for the purpose of electing one Major to command said battalion. The Brigade-inspector shall give notice to the first and fourth companies, that an election is to be held, for the purpose of electing a Major within the bounds of said companies; and on the following day to hold an election, within the bounds of the fifth and eighth companies: And the person having the greatest number of votes, in the battalion, shall be Major of the said battalion; whose duty it shall be to attend and train the said battalion, as is directed by this Act.

Make section 2, as printed, read section 4.

On motion,

The said amendments were again read, considered, and adopted.

*Ordered,* That the Clerk acquaint the House of Representatives thereof.

The Bill, entitled, "*An Act granting an Annuity to James Wallace,*" was read the second time, and considered by section.

Section 1 being under consideration,

A motion was made, by Mr. Roberts and Mr. Mitchell,

To postpone the further consideration of the Bill, and recommend it to the attention of Senate, at their next Session; which was agreed to.

The Bill, entitled, “ *A Supplement to an Act, entitled, ‘ A further Supplement to the Act, entitled, ‘ An Act for offering Compensation to Pennsylvania Claimants of certain Lands, within the Seventeen Townships, in the County of Luzerne, and for other Purposes therein mentioned,’*” was read the second time.

Whereupon,

On motion of Mr. Roberts and Mr. Doty,

The said Bill was postponed, generally.

The Bill, entitled, “ *An Act to authorise the Sale of the real Estate of Adam Imbody, late of Berks County, deceased,*” was read the second time.

Whereupon,

On motion of Mr. Roberts and Mr. Weaver,

The said Bill was postponed, generally.

On motion of Mr. Roberts and Mr. Weaver,

The Senate adjourned, till half past 2 o'clock in the afternoon.

#### SAME DAY, IN THE AFTERNOON.

The Clerk of the House of Representatives presented, for signature, ten Bills, entitled, respectively as follow, *viz.*

1. An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace, of this Commonwealth.

2. An Act to provide for the Education of the Poor, gratis.

3. An Act to alter and amend the Act, entitled, ‘ An Act directing the Mode of selling unseated Lands, for Taxes.

4. An Act granting an Annuity to George Blakely.

5. An Act granting an Annuity to Hugh Quay.

6. An Act to continue in Force an Act, entitled, ‘ An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged, on Lands which have been patented on Warrants which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and

Locations, and for other Purposes ;' and an Act, entitled, ' An Act regulating and continuing the Distribution of Donation-lands.'

7. An Act changing the Terms of holding the Courts in the Circuits of the Sixth District ; it being supplementary to an Act, entitled, ' An Act to alter the Judiciary System of this Commonwealth.'

8. An Act supplementary to an Act, entitled, ' An Act to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.'

9. An Act for the further Establishment and Regulation of Election-districts.

10. An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie.

And a Resolution,

' Relative to the Mammoth Farm, in Luzerne County.'

He informed, that the House of Representatives have concurred in the amendments, by Senate, to the Bill, entitled,

' An Act making Appropriations to defray certain Expences of Government ;'

Except the following :

Section 1, Line 21. Strike out fifteen hundred Dollars, and insert six hundred Dollars ; in which they do not concur. This refers to the appropriation for Clerk-hire in the office of State Treasurer.

The Speaker signed the Bills and Resolution presented for signature.

On motion.

The Message from the House of Representatives, informing that that House have not concurred in the amendment, by Senate, in line 21, section 1, of the Bill, entitled, "*An Act making Appropriations to defray certain Expences of Government,*" was again read.

Whereupon,

*Resolved*, That Senate do insist upon their said amendment.

*And ordered*, That the Clerk inform the House of Representatives, accordingly.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee, in conjunc-

tion with the Committee of the House of Representatives, had presented to the Governor; for his Approbation, the Bills, entitled, as follow, *viz.*

1. An Act granting an Annuity to Robert Varnor.
2. An Act for the Relief of James Seals and Samuel Israel.
3. A Supplement to the Act, entitled, 'An Act to provide for the Erection of a House, for the Employment and Support of the Poor, in the County of Cumberland.'
4. An Act for the Relief of John Vanlear.
5. An Act granting an Annuity to John Craig.
6. An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, allowing peremptory Challenges, in certain Cases.
7. An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife.
8. An Act empowering certain Trustees, therein named, to convey three Tracts of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies, arising from the Sale thereof, for the Purposes therein mentioned.
9. An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the Governor to incorporate a Company to make an Artificial Road, from a Point near Gallaher's Sawmill to the Borough of Chambersburg.
10. An Act authorising the Governor to subscribe for one hundred Shares of Stock, in the Downingtown, Ephrata, and Harrisburg Turnpike Road.
11. An Act granting an Annuity to Samuel Brady.
12. An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and to grant him an Annuity.
13. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreek, in the Town of Franklin.
14. An Act establishing, in Part, and authorising Commissioners to lay out, a State Road, from Pittsburg, through Beavertown, to the Western Boundary of the State.

15. An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin.

16. An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace, of this Commonwealth.

On motion of Mr. Doty and Mr. Rahm,  
The Senate adjourned, till 5 o'clock in the evening.

SAME EVENING.

The Secretary of the Commonwealth presented a message from the Governor, which was read as follows, viz.

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and directed the Secretary to return the same to the Houses in which they respectively originated, viz.

1. An Act granting an Annuity to John Craig.
2. An Act for the Relief of John Vanlear.
3. A Supplement to the Act, entitled, 'An Act to provide for the Erection of a House, for the Employment and Support of the Poor, in the County of Cumberland.'
4. An Act granting an Annuity to Robert Varnor.
5. An Act for the Relief of James Seals and Samuel Israel.
6. An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, allowing peremptory Challenges, in certain Cases.
7. An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife.
8. An Act empowering certain Trustees, therein named, to convey three Tracts of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies, arising from the Sale thereof, for the Purposes therein mentioned.
9. An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the

Governor to incorporate a Company, to make an Artificial Road, from a Point near Gallaher's Sawmill, to the Borough of Chambersburg.

10. An Act authorising the Governor to subscribe for one hundred Shares of Stock, in the Downingtown, Ephrata, and Harrisburg Turnpike Road.

11. An Act granting an Annuity to Samuel Brady.

12. An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and grant him an Annuity.

13. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin.

14. An Act establishing, in Part, and authorising Commissioners to lay out, a State Road, from Pittsburg, through Beavertown, to the Western Boundary of the State.

15. An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin.

16. An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace, of this Commonwealth.

#### SIMON SNYDER.

*Lancaster, April 4, 1809.*

The Clerk of the House of Representatives returned the Bill, entitled,

‘An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie.

And informed, that the House of Representatives have passed said Bill without amendment.

He also informed, that they have receded from their non-concurrence to the amendment, insisted on by Senate, to the Bill, entitled,

‘An Act making Appropriations to defray certain Expences of Government.’

And he presented, for signature, the Bills, entitled, respectively as follow, *viz.*

1. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Beaver, Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

2. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Southern Turnpike Road, in the County of Somerset or Westmoreland, to intersect the United States' Turnpike Road from Cumberland to Wheelen, in the County of Fayette; and to appoint Commissioners, for the Purpose of laying out a State Road, from the Town of Indiana, to intersect the State Road leading from Milesburg to Le Boeuff, between the Mouth of Anderson's Creek, in Clearfield County, and Milesburg, in Centre County.

3. A Supplement to, and repealing Part of, an Act, entitled, 'An Act to encourage the Patenting of Lands, and for other Purposes.

4. An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.

5. A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.'

6. An Act making Appropriations to defray certain Expences of Government, and for other Purposes.'

7. An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie.

And a Resolution,

'Relative to a further Distribution of the Digest of the Laws, in the German Language, now remaining in the Secretary's office.'

Whereupon,

The Speaker signed said Bills and Resolution.

Mr. Erwin, from the Committee appointed for that purpose, reported, that the Committee, in conjunction with the Committee of the House of Representatives, have presented to the Governor, for his approbation, the Bills, entitled, respectively as follow, *viz.*

1. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Beaver, Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

2. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Southern Turnpike Road, in the



County of Somerset or Westmoreland, to intersect the United States' Turnpike Road from Cumberland to Wheelen, in the County of Fayette; and to appoint Commissioners, for the Purpose of laying out a State Road, from the Town of Indiana, to intersect the State Road leading from Milesburg to Le Boeuff, between the Mouth of Anderson's Creek, in Clearfield County, and Milesburg, in Centre County.

3. A Supplement to, and repealing Part of, an Act entitled, 'An Act to encourage the Patenting of Lands, and for other Purposes.

4. An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.

5. An Act to provide for the Education of the Poor, gratis.

6. An Act to alter and amend the Act, entitled, 'An Act directing the Mode of selling unseated Lands, for Taxes.

7. A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.'

8. An Act granting an Annuity to George Blake-ly.

9. An Act granting an Annuity to Hugh Quay.

10. An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged, on Lands which have been patented on Warrants which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and Locations, and for other Purposes;' and an Act, entitled, 'An Act regulating and continuing the Distribution of Donation-lands.'

11. An Act changing the Terms of holding the Courts in the Circuits of the Sixth District; it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'

12. An Act supplementary to an Act, entitled, 'An Act to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.'

13. An Act for the further Establishment and Regulation of Election-districts.

14. An Act authorising a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie.

15. An Act making Appropriations to defray certain Expences of Government, and for other Purposes.

And two resolutions, *viz.*

1. Resolution, relative to a further Distribution of the Digest of the Laws, in the German Language.

2. Resolution, relative to the Application for a Patent for the Mammoth Farm, in Luzerne County.

On motion of Mr. Roberts and Mr. Weaver,  
The Senate adjourned, till 7 o'clock in the evening.

#### SAME EVENING.

The Secretary of the Commonwealth presented two messages from the Governor, which were severally read as follow, *to wit* :

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the respective Houses, in which they originated, *viz.*

1. An Act for the further Establishment and Regulation of Election-districts.

2. An Act changing the Terms for holding the Courts in the Circuit of the Sixth District; it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'

3. An Act supplementary to an Act, entitled, 'An Act to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.'

4. An Act authorising a Review of the State Road leading from Bearvertown, in the County of Beaver, to Waterford, in the County of Erie.

5. An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged, on Lands which have been patented on

Warrants which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and Locations, and for other Purposes ;' and an Act, entitled, ' An Act regulating and continuing the Distribution of Donation-lands.'

6. An Act granting an Annuity to Hugh Quay.

7. An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.

8. An Act granting an Annuity to George Blakely.

9. A Supplement to, and repealing Part of, an Act, entitled, ' An Act to encourage the Patenting of Lands, and for other Purposes.'

10. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Beaver, Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

11. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road from the Southern Turnpike Road, in the County of Somerset or Westmoreland, to intersect the United States' Turnpike Road from Cumberland to Wheelen, in the County of Fayette, and to appoint Commissioners, for the Purpose of laying out a State Road from the Town of Indiana, in the County of Indiana, to intersect the State Road leading from Milesburg to Le Boeuff, between the Mouth of Anderson's Creek, in Clearfield County, and Milesburg, in Centre County.

12. A Resolution, directing the Distribution of certain Copies of the German Digest.

SIMON SNYDER.

*Lancaster, April 4, 1809.*

*To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.*

GENTLEMEN,

I have this day approved and signed the following Acts of the General Assembly, and have directed the Secretary to return them to the respective Houses, in which they originated, viz.

1. An Act to alter and amend an Act, entitled, ' An Act directing the Mode of selling unseated Land, for Taxes.'

2. An Act to provide for the Education of the Poor, gratis.

3. A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.'

4. An Act making Appropriations to defray certain Expences of Government, and for other Purposes.

5. Resolution, relative to an Application for a Patent for certain Lands in Luzerne County.

SIMON SNYDER.

*Lancaster, April 4, 1809.*

On motion,

Mr. Roberts and Mr. Mitchell were appointed a Committee to wait upon the Governor, in conjunction with a Committee of the House of Representatives, and inform him that the General Assembly have agreed to adjourn this day; and to inquire, whether he has any further communications to make to the Legislature.

*Ordered*, That the Clerk acquaint the House of Representatives thereof.

\* The Clerk of the House of Representatives presented an extract from the Journal of that House, which was read as follows, *to wit* :

*"In the House of Representatives.*

*April 4, 1809.*

*"On motion,*

*"Ordered*, That Messrs. Thompson, Bucher, and Hanna be a Committee, to join a Committee of Senate, to wait upon the Governor, and inform him that the General Assembly are ready to adjourn; and to know, whether he has any further Communications to make to the Legislature."

After some time,

Mr. Roberts, from the Committee appointed for that purpose, made report,

That the Joint Committee had waited upon the Governor, who informed them, that he had no further communications to make to the Legislature, at this time; and that the harmony and friendly intercourse, which had subsisted between him and the General

Assembly, during the present Session, was duly appreciated on his part.

Mr. Erwin, from the Committee appointed for that purpose, made report, that the Committee have deposited in the Rolls-office, the following Acts and Resolutions of the General Assembly, *to wit* :

1. An Act supplementary to an Act, entitled, ' An Act to raise, by Way of Lottery, the Sum of seven thousand Dollars, to enable the Company, for the Purpose of promoting the Cultivation of Vines, to pay their Debts and accomplish the Object of their Association, and two thousand Dollars for erecting a School-house near Sommonytown, in the County of Montgomery.'

2. An Act supplementary to an Act, entitled, ' An Act to provide for the Settlement of Public Accounts, and for other Purposes therein mentioned.'

3. An Act to enable the Administrators of Henry Lenox Sheppard, late of the County of Westmoreland, deceased, to convey certain Lots of Ground to the Purchasers thereof.'

4. An Act authorising Thomas M'Kean Thompson to sell and convey, in Fee Simple, a certain Interest in a Tract of Donation-land therein mentioned.

5. An Act for the Relief of Casper Shaffner.

6. An Act to amend an Act, entitled, ' An Act granting an Annuity to Thomas Snowden.'

7. An Act dissolving the Marriage of John M'Clellen and Margaret M'Clellen his Wife.

8. An Act further extending the Act, entitled, ' An Act for the Relief of Divers Inhabitants of the County of Adams.'

9. An Act vesting a Title to a small Piece of Land in Hempfield Township, Westmoreland County, in certain Trustees and their Successors, for the Use of a School.

10. An Act relating to the Lien of this Commonwealth on the Estate of William Nichols, deceased.

11. An Act authorising George Bryan to sell and convey a certain Lot of Ground therein mentioned.

12. An Act supplementary to an Act, entitled, ' An Act to enable the Governor to incorporate a Company,

for making an Artificial Road from the City of Philadelphia, by Chadsford, on Brandywine, to the Line of the State, in a Direction towards Baltimore.

13. An Act to incorpoate the Philadelphia Society for promoting Agriculture.

14. An Act to amend an Act, entitled, 'An Act granting an Annuity to Edward Cavenough.'

15. A Supplement to an Act, 'entitled, 'An Act to regulate the Fisheries in the River Delaware and its Branches, and for other Purposes.'

16. An Act authorising Jonathan Bayard Smith, Gavin Hamilton, and Peter Le Barbier Duplessis to convey a Lot of Ground, situate in the City of Philadelphia.

17. An Act for the Relief of the Heirs of Frederick Vernon, deceased.

18. An Act authorising the Commissioners of Indiana County, to assess and collect County Taxes in the County of Jefferson.

19. An Act giving additional Powers to, and changing the Mode of Appointment of, the Inspectors of the Prison in Philadelphia, and for other Purposes.

20. An Act to enable Victor Moreau to hold a certain Tract of Land, in the County of Bucks, by him purchased.

21. An Act authorising Jacob Kimmel and Abraham Konigmacher, of Lancaster County, to sell and convey certain Lands therein mentioned.

22. An Act confirming the Title of Manning Martain, to certain Lands therein mentioned.

23. An Act to enable the Administrators of Basil Brown, late of the County of Fayette, deceased, to convey certain Lots of Ground, in and near the Town of Brownsville, to the Purchasers thereof.

24. An Act to change the Name of Lewis Dorleans to Lewis Emery.

25. An Act to enable the Governor to incorporate a Company to make an Artificial Road, by the best and nearest Route, from the North End of George-street, in the Borough of York, to the Canal Ferry on the River Susquehanna, and from thence up the said River to the Head of the Conewago Falls.

26. An Act to perpetuate the Great Seal of this Commonwealth.

27. An Act allowing the Philadelphia Bank to establish Branches.

28. A further Supplement to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'

29. An Act to regulate the Issuing of Patents for Donation-land.

30. An Act to empower Anthony Beelen, Alexander M'Laughlin, and Zachariah A. Tannehill, Executors of the last Will and Testament of William Porter, deceased, to execute a Deed of Conveyance for a Quarter-lot of Ground, in the Borough of Pittsburg, to George Wallace, and for other Purposes therein mentioned.

31. A Supplement to the Act, entitled, 'An Act for the Relief of the Poor.'

32. A Supplement to an Act, entitled, 'An Act to provide a more effectual Method of Settling the Public Accounts, of the Commissioners and Treasurers of the respective Counties.'

33. An Act to incorporate the Farmers' and Mechanics' Bank.

34. An Act to prohibit the distilling and boiling of Turpentine and Oil, and the manufacturing of Varnish, within the City of Philadelphia and its Neighborhood.

35. An Act allowing further Time to the Commissioners of Luzerne County, for the Repayment of certain Monies due the Commonwealth.

36. An Act concerning Libels.

37. An Act to enable the Governor to incorporate a Company, for the Purpose of making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, between the 23d Milestone and the Admiral Warren Tavern, to the Point where the Reading Road intersects the Morgantown Road, to the West of Jones' Tavern, in Berks County.

38. An Act to incorporate the Marine Insurance Company of Philadelphia.

39. An Act making a new Arrangement of the Treasury Department, and enjoining certain Duties on County Commissioners.

40. An Act to authorise the Guardians of the Person and Estate of Doctor John Houston, of the County of Lancaster, to sell and convey certain Lands therein mentioned.

41. A Supplement to an Act, entitled, ' An Act to enable the Governor to incorporate a Company to make an Artificial Road, by the best and nearest Route, from the Town of Hanover, in the County of York, to the Maryland Line, at or near the Place the Turnpike from Baltimore to the State Line, towards Hanover, will strike the same.

42. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, opposite the Flat Rock, in the County of Philadelphia.

43. An Act granting an Annuity to John M'Dowell.

44. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road from the Strasburg Road, near John G. Parke's House, in Chester County, by M'Call's Ferry, on the Susquehanna, to the Maryland Line, in a Direction to the City of Washington; and also, a Road from the Intersection of Marlboroughstreet and Newport Road, to intersect the above Road, at or near M'Call's Ferry aforesaid.

45. An Act authorising John Sharp, acting Administrator of John Sutton, deceased, to make and execute certain Titles to Land therein mentioned.

46. An Act laying a Tax on Dogs, in certain Counties, and for other Purposes.

47. An Act granting a Sum of Money to Catharine Shibe, for Services rendered by her late Husband, in the revolutionary War.

48. A Supplement to the Act, entitled, ' An Act for the Consolidation and Amendment of the Laws, as far as they respect the Poor of the City of Philadelphia, the District of Southwark, and the Township



of the Northern Liberties,' passed the 29th Day of March, 1803.

49. An Act granting certain Privileges to Jonathan Grout.

50. An Act authorising a Loan of Money from the State, to William M'Dermett.

51. An Act to incorporate the President and Directors of the Waterpipes in Aaronsburg.

52. An Act to enable the Governor to incorporate a Company, to make an Artificial Road from the Town of Hanover, in the County of York, to the Borough of Carlisle.

53. A Supplement to an Act, entitled, 'An Act supplementary to an Act to raise, by Way of Lottery, a Sum not exceeding eight thousand Dollars, for the Use and Benefit of the Minister, Wardens, and Vestry of the African Episcopal Church of St. Thomas, in the City of Philadelphia.'

54. A Supplement to the Act, entitled, 'An Act for extending the Width of Wharfstreet, and regulating the Wharves in the District of Southwark.'

55. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge and Road over the Northeast Branch of the River Susquehanna, in the County of Northumberland, from the Public Highway opposite the Plantation of Thomas Grant to Shamokin Island, through the Public Highway of Shamokin Island to the Shore opposite Northumberland, and from thence to the Town of Northumberland.

56. An Act authorising the Governor to incorporate a Company, for making an Artificial Road from Safeharbor, at the Mouth of Conestoga Creek, through the Village of Strasburg, to intersect either the Gap and Newport Turnpike, or the Philadelphia and Lancaster Turnpike Road, as near the former as possible.

57. An Act to authorise the Governor of this Commonwealth to incorporate a Company, for the Purpose of making and erecting a Bridge over the River Susquehanna, in the County of Lancaster, at or near the Town of Columbia.

58. An Act directing the Mode of keeping in Repair the Long Narrows Road, in the County of Mississippin.

59. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a Road, beginning at or near Kelfo's Ferry, in Cumberland County, through York and Adams Counties, to the Maryland Line, in a Direction to the City of Washington.

60. An Act granting an Annuity to John Boyls, a Sergeant in the late revolutionary War.

61. An Act for the better establishing and confirming the Boundaries, of the Town and Out-lots of the Town of Indiana.

62. An Act granting to Samuel M'Neill an Annuity for Life.

63. An Act abolishing the Offices of Receiver-general and Master of the Rolls, and transferring the Duties therein performed to other Offices, and for other Purposes.

64. An Act to afford immediate Relief to John Huton, a Soldier in the revolutionary War, and to grant him an Annuity.

65. An Act supplementary to an Act, entitled, 'An Act, to regulate Arbitrations, and Proceedings in Courts of Justice.'

66. An Act making perpetual an Act, entitled, 'An Act to regulate the Payment of Costs on Indictments, and the second Section of an Act, entitled, 'An Act, explanatory to the Act, entitled, 'An Act to regulate the Payment of Costs on Indictments.'

67. An Act enabling certain Trustees to sell and convey the real Estate of Henry Strater, a Lunatic.

68. An Act concerning Sentences of Foreign Prize-courts.

69. An Act to confirm the Title of Samuel Work, to certain Lands therein mentioned.

70. An Act for the Benefit of the Devisees of John Hart, deceased.

71. A Supplement to An Act, entitled, 'An Act for the Relief of the Heirs of Frederick Vernon, deceased.'

72. An Act to empower John Knaufs and John Lerch, Administrators of Paul Knaufs, deceased, to convey two Tracts of Land, in the County of Northampton.

73. An Act authorising the Secretary of this Commonwealth to issue a Patent to George Baker, for a Lot of Ground therein mentioned.

74. An Act to enable the Administrators of James Carnahan, late of the County of Westmoreland, deceased, to convey a certain Tract of Land to the Purchaser thereof.

75. An Act for the better Employment, Relief, and Support of the Poor, within the Township of Germantown, in the County of Philadelphia.

76. A further Supplement to the Act, entitled, 'An Act for laying out, making, and keeping in Repair the Public Roads and Highways, within this Commonwealth, and for laying out private Roads.'

77. An Act to authorise and direct the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Schuylkill, at or near Pawling's Ford, in the Counties of Montgomery and Chester.

78. An Act concerning Contempts of Court.

79. An Act to repeal an Act, entitled, 'An Act establishing an Auctionstore in the Borough of Lancaster.'

80. An Act authorising William Lane and Thomas Davis to build a Bridge, across the Raystown Branch of Juniata, near the Mouth of Yellowcreek.

81. An Act granting to certain Patentees, in Luzerne County, further Time to record their Patents.

82. A Supplement to an Act, entitled, 'An Act to authorise the Governor to incorporate a Company, for making an Artificial Road from the Philadelphia and Lancaster Turnpike Road, in Lancaster County, at or near the Gap Tavern, to the Line of the State of Delaware.'

83. An Act to encourage and facilitate the Completion of the Frankford and Bristol, and the Bustleton and Smithfield, Turnpike Roads.

84. An Act for the Relief of William M'Kibben and George Long.

85. An Act to authorise the Governor to incorporate a Company, for erecting a Permanent Bridge over the River Susquehanna, at or near Harrisburg, in the County of Dauphin.

86. An Act granting an Annuity to Robert Varnor.

87. An Act for the Relief of James Seals and Samuel Israel.

88. A Supplement to the Act, entitled, 'An Act to provide for the Erection of a House, for the Employment and Support of the Poor, in the County of Cumberland.'

89. An Act for the Relief of John Vanlear.

90. An Act granting an Annuity to John Craig.

91. An Act to repeal so much of an Act, passed April 4, 1807, as directs the Township Assessors to select and return Jurors; and also, allowing peremptory Challenges, in certain Cases.

92. An Act to dissolve the Marriage of Peter Rickenbach and Ann his Wife.

93. An Act empowering certain Trustees, therein named, to convey three Tracts or Pieces of Land, situate in Williams Township, in the County of Northampton, and to appropriate the Monies, arising from the Sale thereof, for the Purposes therein mentioned.

94. An Act to extend the Powers of the Gettysburg and Petersburg Turnpike Company, and to enable the Governor to incorporate a Company, to make an Artificial Road, from a Point near Gallaher's Sawmill, to the Borough of Chambersburg.

95. An Act authorising the Governor to subscribe for one hundred Shares of Stock, of the Downingtown, Ephrata, and Harrisburg Turnpike Road.

96. An Act granting an Annuity to Samuel Brady.

97. An Act to afford immediate Relief to Michael Lynch, a Soldier in the revolutionary War, and grant him an Annuity.

98. An Act to authorise Samuel Ray, jun. to erect a Toll-bridge over Frenchcreek, opposite Buckstreet, in the Town of Franklin.

99. An Act establishing, in Part, and authorising Commissioners to lay out, a State Road, from Pittsburg, through Beavertown, to the Western Boundary of the State.

100. An Act to establish an Academy in the Borough of Harrisburg, in the County of Dauphin.

101. An Act to validate and confirm the Proceedings of certain Justices of the Peace, in the Counties of Beaver, Butler, Crawford, Erie, Mercer, Venango, and Warren, in Cases therein mentioned.

102. An Act to authorise the Governor to appoint Commissioners, for the Purpose of laying out a State Road, from the Southern Turnpike Road, in the County of Somerset or Westmoreland, to intersect the United States' Turnpike Road from Cumberland to Wheelen, in the County of Fayette; and to appoint Commissioners, for the Purpose of laying out a State Road, from the Town of Indiana, in the County of Indiana, to intersect the State Road leading from Milesburg to Le Boeuff, between the Mouth of Anderson's Creek, in Clearfield County, and Milesburg, in Centre County.

103. A Supplement to, and repealing Part of, an Act, entitled, 'An Act to encourage the Patenting of Lands, and for other Purposes.'

104. An Act relative to certain Proceedings, in the Case of the Prize-sloop Active.

105. An Act further to extend the Jurisdiction of the Aldermen and Justices of the Peace, of this Commonwealth.

106. An Act to provide for the Education of the Poor, gratis.

107. An Act to alter and amend an Act, entitled, 'An Act directing the Mode of selling unseated Lands, for Taxes.'

108. A further Supplement to an Act, entitled, 'An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania.'

109. An Act granting an Annuity to George Blake-ly.

110. An Act granting an Annuity to Hugh Quay.

111. An Act to continue in Force an Act, entitled, 'An Act to provide for the Payment of certain Balances of Purchase-money, yet due and remaining charged, on Lands which have been patented on Warrants which have been obtained since Surveys were originally made, in Pursuance of old Proprietary Warrants and Locations, and for other Purposes;' and an Act, entitled, 'An Act regulating and continuing the Distribution of Donation-lands.'

112. An Act changing the Terms of holding the Courts in the Circuits of the Sixth District; it being supplementary to an Act, entitled, 'An Act to alter the Judiciary System of this Commonwealth.'

113. An Act supplementary to an Act, entitled, 'An Act to alter and amend the several Laws of this Commonwealth, relative to Domestic Attachments.'

114. An Act for the further Establishment and Regulation of Election-districts.

115. An Act authorizing a Review of the State Road, leading from Beavertown, in the County of Beaver, to Waterford, in the County of Erie.

116. An Act making Appropriations to defray certain Expences of Government, and for other Purposes.

## RESOLUTIONS.

1. Resolution, directing the Mode of distributing the Laws of the United States, passed at the second Session of the Ninth Congress, and the succeeding Laws of Congress, which may become the Property of this State.

2. Resolution, approbating the Measures of the General Government, in their Endeavors to preserve Peace with foreign Nations; and expressive of a Determination to support the Government, in the Maintenance of our national Rights.

3. Resolution, directing a further Distribution of the seventh and eighth Volumes of the Laws of Pennsylvania, printed by John Bioren.

4. Resolution, relating to contracting for a certain number of Copies of the Laws of Pennsylvania, printed by Carey and Bioren.

5. Resolution, directing the Secretary of the Commonwealth to procure thirty-nine Copies of the Minutes of the Convention, that framed the present Constitution, and directing the Manner of their Distribution.

6. Resolution, concerning Weights and Measures.

7. Resolution, relative to the Distribution of certain Laws.

8. Resolution, relating to the Claim of Gideon Olmstead and others.

9. Resolution, relative to a further Distribution of the Digest of the Laws, in the German Language.

10. Resolution, relative to the Application for a Patent for the Mammoth Farm, in Luzerne County.

On motion,

Mr. Lacock and Mr. Heston were appointed a Committee, to inform the House of Representatives, that Senate are ready to adjourn.

After some time,

Mr. Lacock reported, that the Committee had performed that service.

Mr. Ogle and Mr. Shultz, a Committee of the House of Representatives, informed the Senate, that that House is ready to adjourn.

Adjourned.

GEO. BRYAN, C. S.

## *Expiration of the Appointments of the Members of Senate.*

1809.

Jacob Sommer,  
William Lattimore,  
William Miller,  
David Mitchell,  
Jacob Blocher, \*  
Nathaniel Irish, †  
William M'Arthur.

1810.

John Dorsey,  
Isaac Wayne,  
Amos Slaymaker,  
Melchior Rahm,  
James Laird,  
Presley C. Lane.

1811.

Edward Heston,  
Jonathan Roberts,  
Matthias Grefs,  
Thomas Campbell,  
Archibald Rankin,  
James Brady.

1812.

Michael Bright,  
William Erwin,  
Jonas Preston,  
Christopher Mayer,  
Nathan Palmer,  
Ezra Doty,  
John Borrows,  
Isaac Weaver, jun.  
James Stevenson,  
Abner Lacock,  
Gabriel Hiestler,  
Daniel Udree.

\* Elected to supply the vacancy occasioned by the resignation of *Henry Wertz*, Jun.

† Elected to supply the vacancy occasioned by the resignation of *James Martin*.







# I N D E X,

TO THE

## JOURNAL OF THE SENATE

OF

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# REPORT,

ON THE

## FINANCES

OF THE

Commonwealth of Pennsylvania,

FOR THE YEAR 1809;

MADE TO THE LEGISLATURE, BY THE

AUDITOR-GENERAL,

ACCORDING TO LAW.



LANCASTER,

PRINTED BY WM. DICKSON, NORTH QUEENSTREET.

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1809.



# REVENUE.

## SUMMARY STATEMENT,

Of the Receipts at the Treasury of the Commonwealth,  
for the year commencing on the 1st December, 1808,  
and ending with the 30th November, 1809.

*Dolls. Cts.*

Lands, including Lots of Franklin, Warren, and Beaver, and Fees of Land-office, per Statement, No. 1,	318,129 49
Dividends on Bank Stock, with Interest on United States' Stock, per ditto, No. 2,	120,108 15
Auction Duties, per ditto, No. 3,	33,635 22
Tavern Licences, per ditto, No. 4,	24,116 47
Exempt Fines, per ditto,	9,346 17
Court Fines, per ditto, No. 5.	684 69
Fees of the Office of Secretary of the Commonwealth, per No. 6,	889 07
Debts, per ditto, No. 7,	36,626 53
Miscellaneous, per ditto, No. 8,	4,414 70
	<hr/>
	547,950 49
To which add, the Balance in the Treasury, on 1st December, 1808,	46,239 56
	<hr/>
	<i>Dollars, 594,190 05</i>

REVENUE.

No. 1.

*Lands and Town-lots, with Fees of the Land-office.*

*Dolls. Cts.*

Amount Purchase-money, between the 1st December, 1808, and 10th May, 1809,	22,302 57	
Amount ditto, from thence till 1st Dec. 1809,	264,705 92	
	<hr/>	287,008 49
Amount of Fees, between 1st December, 1808, and 10th May, 1809, viz.		
Samuel Cochran, late Surveyor-general,	2302 93	
John M'Kiffick, late Receiver-general,	959 63	
Andrew Ellicott, late Secretary of the Land-office,	1829 89	
	<hr/>	5092 45
Amount ditto, between 10th May, and 1st Dec. 1809, viz.		
Andrew Porter, Surveyor-general,	1,282 98	
John Cochran, Secretary of the Land-office,	469 45	
William Findlay, State Treasurer,	23,932 45	
	<hr/>	25,682 88
		30,775 33
Town and Out-lots of Franklin, Warren, and Beaver,		345 67
		<hr/>
		318,129 49

## REVENUE.

No. 2.

*Bank and other Stock.*

	<i>Dolls. Cts.</i>
One year's Dividend, from Bank of Pennsylvania,	80,000
from Philadelphia,	37,136
One quarter's ditto (due 1st July) from Farmer's and Mechanic's Bank,	1,687 50
	<hr/>
	118,823 50
Interest on United States' Stock,	1,284 65
	<hr/>
	120,108 15

No. 3.

*Auction Duties.**Late Auctioneers.*

Joshua Lippincott,	3,300 85
John Connelly,	1,665 92
Andrew Bayard,	2,722 03
T. B. Freeman,	1,310 08
Samuel Israel,	151 83
John Tomlinson,	38 89
John Macgregor,	27 37
	<hr/>
	9,216 97

*Present Auctioneers.*

Frederick Montmollin,	11,158 28
Silas E. Weir,	7,036 55
John Humes,	3,199 54
Thomas Passmore,	2,051 19
Peter Kuhn,	740 15
James M'Glathery,	129 87
Alexander M'Caraher,	102 67
	<hr/>
	24,418 25
	<hr/>
	33,835 22

## REVENUE.

No. 4.

Counties' and Treasurers' Names.	Accounts settled between 1st Dec. 1808, and 1st. Dec. 1809.		Payments made into State Treasu- ry, between Dec. 1, 1808, and Dec. 1, 1809.		Balances unac- counted for by the Treasurers, Dec. 1, 1809.	
	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>
Adams.						
Matt. Longwell, Allegheny.	610 28	423	378	200	232 28	278
Eben. Denny, late, G. Cochran, pres't.	719 20	3 80	719 20	5		
Armstrong.	334 40	100	108 55		225 85	100
David Lawson, Beaver.	409 54		161 90		247 64	
J. Lawrence, late, R. Moore, pres't.	234 08	52	157 35	15 29	134 08	52
Bedford.						
George Henry, Berks.	744 04	196	685 52		58 10	196
J. K. Messersmith, Bucks.	1,396 12	2,290 69	1,219 02		13 49	
E. Morris, Butler.	1,085 30	1,086 14	1,085 30	3,268 26		959 54
J. Potts, Centre.	170 22	4	62 76		32 73	4
E. Moore, late, J. Burnside, pres't.	181 76		275 88			
Chester.	125 40		142 81			
J. Lockart, Crawford.	902 88	5,459 58	902 88	1,936 72		3,522 86
Moses Scott, Cumberland.	275 88	39 71	62 81		76 50	39 71
J. Boden, Dauphin.	969 76	109 54	493 75		49 05	
H. Beader, late, G. Weinman, pres't.	2,140 16	414 52	1,000		59 64	162 82
Delaware.						
J. Lewis,	332 15	1,204 20	332 15	152 15		770 05



# REVENUE.

No. 4.

Counties and Treasurers' Names.	Accounts settled between 1st Dec. 1808, and 1st Dec. 1809.		Payments made into State Treasu- ry, between Dec. 1, 1808, and Dec. 1, 1809.		Balances unac- counted for by the Treasurers, Dec. 1, 1809.	
	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>
<b>Erie.</b>						
J. Kelso,	193 60		58 51		51 49	
<b>Fayette.</b>						
D. Springer, late,	652 69	72	320		451 49	543 57
W. Brownfield, pr't.	902 88		133		769 88	
<b>Franklin.</b>						
D. Denny, late,	756	370 95	712		44	
J. Heyser, present,		172				172
<b>Greene.</b>						
R. Lewis, late,	142 71	87		7 11		24
J. Wilson, present,	260 04	25	75		92 20	25
<b>Huntingdon.</b>						
R. Allison, late,	651 98	216	300 96		201 42	216
Th. Kerr, present,						
<b>Indiana.</b>						
J. M'Cartney, late,	209		149			
J. Moorhead, prs't.	70 40				70 40	
<b>Lancaster.</b>						
J. Krug, late,	3,193 52	7,556	2,673 68	2,070	1,528 52	3,851 41
G. Graeff, present,	2,106 72	4,447	1,600		506 72	4,447
<b>Luzerne.</b>						
Z. Butler,	836	64	32 25		588 07	220
<b>Lycoming.</b>						
A. D. Hepburn.	229 24		275 55		33	
<b>Mercer.</b>						
J. Smith,	325 60		110 11			
<b>Mifflin.</b>						
E. Doty, late,	610 28	897	350		260 28	807
A. Keyser, pres't.						
<b>Montgomery.</b>						
T. Humphreys,	1,003 20	1,651	994 84	1,248 37	8 36	1,251
<b>Northampton.</b>						
Jacob Opp, late,			366 39	173 46		
E. Howell, pres't.	1,103 96	227 43	1,103 46	227 43	50	

# REVENUE.

No. 4.

Counties and Treasurers' Names.	Accounts settled between 1st Dec. 1808, and 1st Dec 1809.		Payments made in- to State Treasury between 1st. Dec. 1801, and 1st Dec 1809.		Balances unac- counted for by the Treasurers, Dec. 1, 1809.	
	<i>Tavern Licences</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>	<i>Tavern Licences.</i>	<i>Exempt Fines.</i>
<b>Northumberland.</b>						
S. Snyder, late,			13 20			
D. Taggart, pres't.	969 76	453 39	1,000			453 39
<b>Phila. City &amp; Co.</b>						
R. M'Molin,		868 07	3,251 86			181 03
<b>Somerfet.</b>						
J Saylor, late,			196 04			
J. Clark, present,	563 20	216			563 20	216
<b>Venango.</b>						
A. M'Dowell, form.	127 98				38 18	
S. Hays, late,	100 32				100 32	
J. Broadfoot, pres't.	25 08				25 08	
<b>Washington.</b>						
D. Kerr.	654 64		654 74			
<b>Westmoreland.</b>						
J. M. Snowden,	897 60	223 82	385		75 77	7 72
<b>Wayne.</b>						
R. Skinner,	275 88		50		307 38	
<b>York.</b>						
J. Forsyth, late,			994 40	42 38		
J. Stroman, pres't.	1,212 20		501 60		710 60	
			24,089 47	9,346 17		
<b>York.</b>						
W. Barber, Proth'y.			12			
<i>Marriage Licences.</i>						
Adams.						
Jas. Duncan, ditto.			15			
<i>Marriage Licences.</i>						
			24,116 47			

## Remarks on the foregoing Statement.

Payments, made within the last year are, in some instances, included in Accounts settled in the present year; and, in other cases, Payments made, in 1809, were to discharge balances on Accounts settled in 1808, and before.

Enos Morris, Treasurer of Bucks, and Ezra Doty, late Treasurer of Mifflin, have, by letter, objected to the settlement of their Accounts of Ex-empt Fines; the first, generally; and the second, on the ground of some

## REVENUE.

No. 4, continued.

omissions of credits, which he claimed from the former Department of Accounts; and in support of which he states, that he deposited certain Vouchers with the then Officers of Accounts.

By a statement made, by Mr. Morris, there is little or no balance due the Commonwealth. His Account, however, settled by the present Officer of Accounts, is predicated on a settlement made by the former Department of Accounts, and by the present Officers believed to be substantially correct.

In consequence of some County Commissioners omitting to make return of the Name of the County Treasurer (agreeably to Law) there are instances, such as Chester and Huntingdon, where the late Treasurer is charged for monies received by the present Treasurer. This neglect of Commissioners, while it exhibits, in this public way, men as defaulters, who may not be so, or at least to the extent stated; at the same time produces inconvenience to the Accountant Department.

In some counties, Lancaster and York particularly, the collection of Exempt Fines is one year behind that of County Taxes: For instance, the Fines of 1808, in those counties, are collected with the Taxes of 1809.

In the balance to be accounted for by *George Graeff*, Treasurer of Lancaster county, there are outstanding, of 1801 to 1807, inclusive, \$1909, and \$434, of Exonerations illegally made; and therefore are considered, by the Accountant Officers, a charge against the county, till duly sustained and admitted.

The Accounts of County Treasurers, with but few exceptions, were settled to the time prescribed by Law, prior to the 1st instant. Some Accounts are delayed, in consequence of a want of Returns of persons recommended for Licences, and Exempt Fines.

As the Act of 11th April, 1807, declares "that the Register-general (now Auditor-general) in his Annual Report to the Legislature, shall make a correct statement of the amount of the Licence-monies, and the Militia Exempt Fines, due from the respective counties, and the Names of the County Treasurers; together with the amount of such Licence-money and Exempt Fines, as have been paid into the Treasury, for the preceding year."

The Auditor-general has endeavored, in making the exhibition called for by that Law, to attach such explanations as the cases referred to seemed to require. And it may be proper further to remark, that very considerable payments are usually made (and many have already been made) in this month, by County Treasurers, as well as vouchers exhibited for the disbursement of monies, by them, for Militia purposes, which will lessen some and wholly do away other balances in this Report.

# REVENUE.

No. 5.

## *Court Fines.*

Butler County,	-	-	-	4 59
Cumberland,	-	-	-	20
Dauphin,	-	-	-	185 69
Delaware,	-	-	-	69 90
Franklin,	-	-	-	189 38
Greene,	-	-	-	50
Lancaster,	-	-	-	155 86
Somerset,	-	-	-	9 27
				<u>8684 69</u>

The Accounts of Sheriff's are very generally settled. Those whose time of Office expired last October, are either settled or stated for settlement, and only await some returns or explanation.

No. 6.

## *Fees of the Office of Secretary of the Commonwealth.*

Thomas M'Kean Thompson, late Secretary,	-	-	143 33
Nathaniel B. Boileau, present,	-	-	745 74
			<u>889 07</u>

## REVENUE.

No. 7.

*Debts.*

On account of what is due from the Estate of <i>John Nicholson</i> , formerly Comptroller-general,	18,209 68
From the Prothonotary of the Supreme Court, for the Eastern District, in the case of <i>William Nicholls</i> , deceased, who was formerly Clerk of the Mayor's Court, and as such in the receipt of public monies,	13,482 65
On account of the Loan made to the Easton Delaware Bridge Company,	2,000
From <i>A. Russell</i> , formerly Brigade-inspector,	1,531 49
On account of Monies erroneously paid for Taxes, in Luzerne county,	1,000
From the estate of <i>Owen Biddle</i> , another Dividend on the Debt due the Commonwealth,	402 71
	<hr/>
	36,626 53

No. 8.

*Miscellaneous.*

On account of Monies due on Loan-office, of 1793,	249 80
Tax on Patents,	116 50
Tax on Writs,	4,013 96
So much returned to the State Treasury, by the Secretary of the Commonwealth, of \$46,744 15 drawn from thence in October, 1809, by Warrant of the Governor, for the purchase of Stock,	34 44
	<hr/>
	\$4,414 70

## EXPENDITURES.

## SUMMARY STATEMENT,

Of the Payments at the State Treasury, for the year commencing on the 1st December, 1808, and ending with the 30th November, 1809.

	<i>Dolls. Cts.</i>
Expences of Government, per Statement, No. 9,	149,282 02
Militia Expences, per ditto, No. 10.	11,883 60
Purchase of Stock by the Governor, agreeably to Acts of 4th April, 1805, 1st March, 1806, and 4th April, 1807, per ditto, No. 11,	82,544 15
Improvements, per ditto, No. 12,	21,076 34
Pennsylvania Claimants, per ditto, No. 13,	20,202 44
Olmstead Case, per ditto, No. 14,	15,898 75
Pensions,	3,823 89
Unfunded Debt, per ditto, No. 15,	2,449 50
Miscellaneous, per ditto, No. 16,	4,979 26
	<hr/>
	312,139 95
Balance in the Treasury, 1st December, 1809,	282,050 10
	<hr/>
	<i>Dollars,</i> 594,190 05

# EXPENDITURES.

No. 9.

## EXPENCES OF GOVERNMENT.

### *Legislative Department.*

Senate.	Pay and mileage of the		
	Members,	11,866	
	of Clerks,	1,810	
	of Sergeant-at-arms		
	and Door-keepers,	900	
	Printing,	2,560	
	Other contingencies,	1,068 38	
		<hr/>	18,204 38
House of R.	Pay and mileage of		
	the Members,	36,090 80	
	of Clerks,	1,823 20	
	of Sergeant-at-		
	arms & Door-		
	keepers,	1,175	
	Printing,	4,381	
	Transcribing,	1,850	
	Other contin-		
	gencies,	3,291 37	
		<hr/>	48,611 37
			<hr/> 66,815 75

### *Executive Department.*

Governor's salary (late)	1,170 35	
(present)	4,162 97	
	<hr/>	5,333 32
Secretary's ditto (late)	438 89	
(present)	1,561 11	
	<hr/>	2,000
Deputy-secretary,		1,200
Contingent Expences,		2,608 88
		<hr/> 11,142 20
	Carried forward,	<hr/> \$77,957 95

## EXPENDITURES.

No. 9, continued.

### *Judiciary Department.*

	Brought forward, \$77,957 95
Chief Justice, salary,	2,666 64
Assistant Justices Supreme Court,	5,000
Circuit Expenses,	1,984
	<u>9,650 64</u>
Attorney-general (late)	181 47
(present)	485 17
	<u>666 64</u>
Presidents of the Courts of Common Pleas, salaries,	16,777 78
Associate Judges of the same Courts, their salaries,	15,424 83
	<u>32,202 61</u>
	<u>42,519 89</u>

### *Treasury Department.*

State Treasurer, salary,	1,333 32
Clerk,	1,066 64
Printing annual Statement of Receipts and Expenditures, office-rent, stationery, firewood, Watchman, &c.	569 63
	<u>2,969 59</u>
Auditor-general, salary, from 2d May,	551 85
Clerks,	472 77
Contingent expences, including office-rent, firewood, seat and press, stationery, &c.	284 41
	<u>1,309 03</u>
	<u>4,278 62</u>
Carried forward,	\$124,756 46



# EXPENDITURES.

No. 9, continued.

Brought forward, \$124,756 46

## *Former Department of Accounts.*

Comptroller-general, salary, to 2d May,	1,250 36	
Clerks,	1,021 38	
Contingencies,	470 68	
	<hr/>	2,742 42
Register-general, to 2d May,	781 47	
Clerks,	777 31	
Contingencies,	178 40	
	<hr/>	1,737 18
		<hr/> 4,479 60

## *Land Department.*

Secretary, salary,	651 85	
Clerks,	1,438 59	
Contingencies, including printing blanks, office-rent, stationary, fire- wood, &c.	537 78	
	<hr/>	2,628 22
Surveyor-general, salary,	651 85	
Clerks,	1,259 58	
Contingencies, including office-rent, stationary, firewood, &c.	208 39	
	<hr/>	2,119 82
		<hr/>
	Continued, 4,748 04	<hr/>
	Carried forward,	\$129,236 06

# EXPENDITURES.

No. 9, continued.

Brought forward, \$129,236 06  
*Late Land Department.*

	Continued, 4,748 04	
Secretary of the Land-office,	666 66	
Clerks,	1,300	
Contingencies,	434 45	
	<hr/>	2,401 11
Surveyor-general,	681 47	
Clerks,	1,327 21	
Contingencies,	279 53	
	<hr/>	2,288 21
Receiver-general, salary,	814 80	
Clerks,	1,077 77	
Contingencies,	208 81	
	<hr/>	2,101 38
	<hr/>	11,538 74

## *Contingent Expenses, General Purposes.*

Publishing the Proclamation of the Election of Electors of President and Vice-president of the United States,	5 75	
Notifying Electors of President and Vice-president of the United States of their Election,	189 21	
Pay of Electors,	654	
Enrolling Laws, &c.	526 86	
Minutes of the Convention of 1790, purchased agreeably to a Resolution of the General Assembly, of 23d February, 1809,	119 25	
Carriage of the Laws into several of the counties,	786 17	
William Hamilton, printing certain Laws, per Resolution of the General Assembly, December, 1807,	37 50	
C. Miner, ditto, per Resolution of March, 1808,	36	
	<hr/>	
	Continued, 2,354 74	
	Carried forward, \$140,774 80	

# EXPENDITURES.

No. 9, continued.

Brought forward, \$140,774 80

## *Contingent Expences, General Purposes.*

	Continued,	2,354 74	
John Bioren, printing Laws,		3,205 50	
40 Setts of Carey & Bioren's Edition of the Laws, per Resolution of 8th February, 1809,		496 25	
Binding 251 copies of the 8th volume of the Laws of Pennsylvania, by di- rection of the late Secretary of the Commonwealth,		54 60	
Binding certain other Laws, by order of the late Secretary of the Com- monwealth,		94 13	
		<hr/>	6,205 22

## *Conveying Convicts from several of the Counties to the Penitentiary. viz.*

Beaver,	-	-	221 70	
Bedford,	-	-	130 60	
Delaware	-	-	10	
Fayette,	-	-	164 10	
Lycoming,	-	-	118	
Northampton, for Convicts conveyed between 17th June, 1795, and 17th January, 1809,			509 83	
Somerfet,	-	-	203 50	
			<hr/>	1,357 73

## *Wardens of the Port of Philadelphia.*

Pay and Disbursements,	-	-	944 27	
			<hr/>	8,507 22
				<hr/>
				\$149,282 02

## EXPENDITURES.

No. 10.

## MILITIA EXPENCES.

			Salary.	Blank forms.	Dis- burse- ments.
Thomas M'Kean, Jun. Adjutant-general,			600		26 77
Daniel Sharp, Inspector 1st Brigade, 1st Division,			180	60	15 32
William Duncan,	2		315	60	26 59
Andrew Norney,	1	2	180	40	8
Josiah Y. Shaw,	2		156	40	57 44
James Steele,	1	3	150	40	25 50
William Brooke,	2		120	40	
John Light,	1	4	120	40	24
James Patterson,	2		120	40	
Archibald S. Jordan,	1	5	187 50	50	
William M'Clelland,	2		120	40	114
Abraham Doeblor,	1	6	209 75	70	9 74
Peter Shoemaker,	2		105	70	
James Lamberton,	1	7	225	60	20 18
Nicholas Seagar,	1	8	150	50	8 62
Richard Brodhead,	2		150	50	
Frederick Evans,	1	9	60	40	
William Ross,	2		210	70	5 41
Samuel Stewart,		10	102 33	50	2 02
John Young,	1	11	157 50	70	
John Fee,	2		150	50	28 09
George Graham,	1	12	150		78 58
James Agnew,	2		120	40	113 85
George Armstrong,	1	13	150	50	258 77
Uriah Springer,	2		120	80	128
James Dunlap,	1	14	120	40	225
Rees Hill,	2		150	40	89 05
Samuel Cochran,	1	15	180	120	278 15
Robert Beatty,	2		115 25	60	142 46
William Clark,	1	16	210	70	
John Negley,	2		112 50	50	
Amos Slaymaker (late)	2	4	14 33		
Frederick Foering, do.	2	1			13 66
George Shiras, drums for William Clark, Inspector of 1st Brigade, 16th Division,					45
Aaron Denman, do. for do.					108
James Herriott, fifes for do.					42
Captain John Erwin, Bucks county, powder for Artil- lery training,					15
Frederick Eringer, for ammunition furnished Philadel- phia Artillery,					77 10
Henry Slaymaker, forwarding Militia Commissions, by Stage,					19 50
John Smith, for drums, &c. for 2d Brigade, 2d Divi- sion,					20 50

# EXPENDITURES.

No. 10, continued.

	Salary.	Blank forms.	Disbursements.
John Wilson, for carrying arms for the use of 15th do.			300
John Boden, for the conveyance of a cannon from Philadelphia to Shippensburg,			62 75
Gustavus Stoy, storage, packing, &c. of public arms,			64
William Berrett, furnishing colours for the use of the Militia, viz.			
2 stand for the 2d Brigade, 2d Division,	\$200		
1 do. 1st do. 1st do.	122		
2 do. 2d do. do.	200		
2 do. and 1 striped, for do.	222		
1 do. 1st do. 10th do.	124 50		
1 do. 1st do. 6th do.	101		
Repairing drums and furnishing fifes for the 2d Brigade, 3d Division,	30		
			999 50
Henry Frailey, for drums furnished by him to 1st Brigade, 4th and 6th Divisions, and 2d Brigade, 1st Division,			233 60
Peter Small, for drums furnished for the use of 1st Brigade, 5th Division,			54
John Smurr, for do. for 15th do.			74 64
Joseph Henry, storage of public arms (Montgomery county)			38 75
John R. Matthews, printing general orders, issued in late Governor's time,			32
Jacquet & Hicks, for drums, &c. furnished for the use of the Militia, viz.			
To J. H. Hurst, late Inspector 1st Brigade, 1st Division, drums, and repairing do.	\$59 19		
Daniel Sharp, present do.	94 70		
Wm. Duncan, Insp. 2d Brig. 1st Div.	90 62		
John Fee, do. do. 11th do.	329 63		
James Steele, 1st do. 3d do.	55		
Josiah Y. Shaw, 2d do. 2d do.	59		
			689 14
Henry Pickle, storage of public arms (York county)			36
John Goodman, Jun. and others, for mounting two brass fieldpieces, by order of the late Governor,			490 11
Thomas Burnside, so much paid by him for repairing arms, the property of the Commonwealth, prior to 1797,			17 41
	5210 16	1580	5093 44
			1580
			5210 16
			\$11,883 60

## EXPENDITURES.

No. 11.

### *Purchase of Stock by the Governor.*

358 Shares in the Philadelphia Bank, being the residue of the number of Shares which, by the Act of Incorporation, the State had the right of subscribing, at par,	35,800
233 Shares in same Bank, purchased by the Governor, at 135 $\frac{1}{4}$ per share,	31,513 25
Commission allowed the Broker, on purchase,	78 78
	<hr/> 31,592 03
208 Shares in the Farmers' and Mechanics' Bank, at 145 per cent. (Share \$50)	15,080
Commission on purchase,	37 68
	<hr/> 15,117 68
	<hr/> 46,709 71
To which add this sum returned by the Governor, see statement, No. 16, of Receipts,	34 44
	<hr/> 46,744 15
	<hr/> \$82,544 15

No. 12.

### *Improvements.*

George Rofs, for running the boundary-lines of the counties of M'Kean, Potter, and Tioga,	187
Commissioners of Beaver County, opening the road from Beaver to Mercer,	268 20
George M'Clelland, J. Gillespie, &c. for improving the Juniata,	500
Commissioners of Mercer County, for road leading from the town of Beaver to the town of Mercer,	181 80
	<hr/>
Carried forward,	\$1,137

# EXPENDITURES.

No. 12, continued.

Brought forward, \$1,137

Commissioners of Mercer County, for road leading from the town of Mercer to Meadville,	354 30
Commissioners of Westmoreland County, for road from Beula to Pittsburg,	300
Commissioners of Butler County, for that part of the road leading from Pittsburg to the town of Butler,	123 71
Commissioners of Somerset County, for improving roads in said county, per Act 28th March, 1808,	1,500
Commissioners of Bedford County, for improving roads in said county, per Act 28th March, 1808,	3,200
Michael Whitmore, Franklin county, for road between Franklin county-line and the town of Strasburg,	400
Commissioners of Westmoreland County, road between the top of Laurelhill and Jones' tavern,	300
Road between Jones' and Golden's taverns,	200
from Arnfreidt's, Chesnutridge, to Jacobf-creek,	100
from Somerset to Greensburg, &c.	400
Pennsylvania, between top of Laurelhill and Chesnutridge,	400
from the twomile run to west side of Chesnutridge,	200
	<hr/> 1,600
George Keim, Treasurer of Reading and Centre Turnpike Company,	12,328
Christian King and Samuel Boyd; balance for improving the river Susquehanna from the mouth Swatara to the Juniata,	133 33
	<hr/> \$21,076 34

## EXPENDITURES.

No. 13.

*Pennsylvania Claimants.*

Certificates to Pennsylvania Claimants, issued and redeemed, under Acts of 4th April, 1799, and 15th March, 1800, between the 1st of December, 1808, and the 30th November, 1809.

<i>In whose Favor.</i>	<i>Amount of Principal.</i>	<i>Amount of Interest.</i>	<i>Total Amount.</i>
Andrew Burkhart,	831 55	261 94	1,093 49
Late Proprietaries,	1,062 35	334 64	1,396 99
do.	1,127 25	355 08	1,482 33
David Hunter,	9 33	2 94	12 27
Late Proprietaries,	354 70	111 73	466 43
William Bingham,	327 31	103 10	430 41
Late Proprietaries,	3,173 73	999 72	4,173 45
do.	1,431 32	450 87	1,882 19
do.	261 60	82 40	344
do.	436 25	137 42	573 67
William Patterfon,	28 50	8 98	37 48
Late Proprietaries,	5,875 14	1,850 66	7,725 80
do.	444 05	139 88	583 93
	<hr/>	<hr/>	<hr/>
	15,363 08	4,839 36	20,202 44



# EXPENDITURES.

No. 14.

## *Olmstead Case.*

Warrant of the Governor on the State Treasury, drawn agreeably to the Act of the 4th of April, 1809, in favor of Elizabeth Sergeant and Esther Waters, Executrices of David Rittenhouse, deceased, formerly Treasurer of Pennsylvania, "to reimburse them for monies paid into the State Treasury, in pursuance of the Act of the 2d April, 1803, as the State's share of the prize-sloop Active, agreeably to the Verdict and Award of the Admiralty Court of Pennsylvania, which have lately been recovered from the said Executrices, in the Federal Court,"

14,378 75

Warrant of the Governor on the State Treasurer, in favor of Gen. Michael Bright, in pursuance of same Act, "to be applied towards defraying the contingent expences that have arisen, or may arise, in the execution of any authority or power given to, or enjoined on, the Governor, by the Resolutions of the General Assembly, passed April 3, 1809, or by the Act of 2d April, 1803,"

1,000

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\$15,378 75

N. B. The accounts of General Bright are in a state of settlement.

# EXPENDITURES.

No. 15.

## *Unfunded Debt.*

Unfunded Debt Certificates redeemed between the 1st  
December, 1808, and 1st December, 1809, per Act  
of the 4th April, 1809.

Joseph B. M'Kean, late Attorney general, fees for instituting and defending certain suits at Law, in which the Com- monwealth was concerned,	2,250
Robert Porter, Attorney at Law, fees in certain Suits, in which the Commonwealth was concerned,	159 50
John Canon and others, issued in May, 1807, as compen- sation for viewing and apportioning that part of the con- fiscated estate of Henry Gordon, per Act of 10th Feb. 1807, &c.	40
	<hr/>
	\$2,449 50

# EXPENDITURES.

No. 16.

## *Miscellaneous.*

Loan to William M'Dermett, per Act of 24th March, 1809,	3,000
Grant to Harrisburg Academy, per Act of 4th April, 1809,	1,000
Mary Backhouse, per Act of 28th March, 1808, on account of forfeited Estates,	415
New-loan Debt, in favor of C. Shaffner, redeemed per Act of 24th January, 1809,	310
Timothy Matlack, so much of his claim against the Com- monwealth, as former Clerk of the Senate, admitted in a settlement, agreeably to the Act of 4th April, 1809,	183 33
James Seals and Samuel Israel, per Act of 4th April, 1809, for repairing public arms,	40
Simon Snyder, so much overpaid by him, as Treasurer of Northumberland county,	17 68
John Macgregor, so much overpaid by him, as one of the Auctioneers,	13 25
	<hr/>
	84,979 26

*General View of Appropriations and Expenditures, for  
Roads, &c. since 1st Jan. 1800.*

<i>Date of Appropriation.</i>	<i>Roads and Rivers.</i>	<i>Sum appropriated.</i>	<i>When paid.</i>
March 13, 1800.	Road from M'Connellsburg to the top of Rayshill,	600	
15,	Road from David Beale's to George M'Mullin's, in Sherman's Valley,	450	
19, 1804.	Road from Tuscarora Valley, to intersect the great road leading from Sherman's Valley,	1500	
April 2,	For building a bridge over the Schuylkill, at Reading, bridges over Swatara and Deepcreeks, and improving a road through Igoe's Narrows,	5889' 12	
April 4, 1805.	Road from Somerset to Greensburg,	800	
	For building a bridge over the Youghiogany,	400	
March 26, 1808.	State Road from Philadelphia, through Westchester to Strasburg, and bridges in Delaware county,	4000	

*N. B.* The above appropriations were made payable out of arrearages of State Taxes, except that for the road through Igoe's Narrows, which was payable out of the balance of Loan-office of 1793, due from Huntingdon county.

*General View of Appropriations, &c. continued.*

<i>Date of Appropriations.</i>	<i>Roads and Rivers.</i>	<i>Sum appropriated.</i>	<i>When paid.</i>
April 6, 1802.	River Schuylkill, a balance due B. H. Latrobe, for the improvement of said river,	2126	May, 1802.
March 29, 1805.	Road from Pittsburg to Beaver,	500	April, 1805.
28, 1806.	Road from Baldeagle to river Allegheny,	800	June and July, 1806.
	Road from David Gray's, Greene county, to the western boundary of the State,	200	January, 1807.
31,	Road from Somerset to Washington,	300	October, 1806.
	Road from Blair's Gap, in Huntingdon county, thro' Ebensburg, &c. to the western boundary of the State,	5000	Oct. and Dec. 1806, Jan. March, and April, 1807.
	Road over Baldeagle mountain, in Huntingdon county,	200	October, 1808.
1807.	Road from Milesburg, Centre county, to Waterford,	1000.	June, 1807, & March, 1808.
April 4,	Road through Moofic mountain,	2000	Aug. and Oct. 1807, Feb. & March, 1808.
7,	Improving Le Boeuff and Frenchcreeks,	500	Sept. 1807.
	Road from Logan's Narrows to the State Road, leading to Presqueisle,	800	May and June, 1807.

*General View of Appropriations, &c. continued.*

<i>Date of Appropriation.</i>	<i>Roads and Rivers.</i>	<i>Sum appropriated.</i>	<i>When paid.</i>
April 10, 1807.	Road from Beaver to Mercer, \$450	3000	Dec. 1807, to and including Nov. 1809. \$2646 09
	Road from Pittsburg to Butler, 300		
	Road from Butler to Mercer, 400		
	Road from Mercer to Meadville, 600		
	Road from Butler to Franklin, 400		
	Road from Franklin to Meadville, 400		
	Road from Meadville to Waterford, 450		
April 11, 1807.	Roads in Franklin county, 600	600	January, 1808.
	in Bedford, 1500	1500	Dec. 1807.
	in Somerset, 1500	1500	June.
	in Westmoreland, 1400	1400	Nov. and Dec. 1807, & June, 1808.
	in Fayette, 700	700	April, 1808.
	from Beula to Pittsburg, 1200	1200	June, 1808, and July, 1809. \$700
	between Burnt Cabins and Bedford Furnace, 300	300	May, 1807.

*General View of Appropriations, &c. continued.*

<i>Date of Appropriation.</i>	<i>Roads and Rivers.</i>	<i>Sum appropriated.</i>	<i>When paid.</i>
April 11, 1807.	Improving Schuylkill,	10,000	August, 1808.
	Do. Susquehanna, from Columbia to Middletown,	1500	August, do.
	Do. from Middletown to mouth of Juniata,	1500	
	Do. Juniata, from its mouth to Kishacoquillis,	500	March, 1809.
	Do. Baldeagle creek,	1000	May, 1808.
	Do. Ohio, from Pittsburg to western boundary-line,	1000	September.
	Road from Sunbury towards Harrisburg,	600	Dec. 1807.
	Do. from Michael Ort's, over the Broadmountain,	600	Sept. do.
	March 28, 1808. Roads in Bedford county,	3200	January, 1809.
	Franklin,	900	May, 1809,
			\$400.
	Somerset,	1500	January, 1809.
	Westmoreland,	1600	June, do.

*Subscription, by the State, to certain Turnpike and Canal Stock; the former payable as the work progresses; the latter, when completed.*

Erie and Waterford,	100	Shares at \$50 each,	\$5,000
Wilkesbarre and Easton,	250	50	12,500
Susquehanna and Lehigh,	100	100	10,000
Do. and Tioga,	200	100	20,000
Centre,	600	50	30,000
Harrisburg and Pittsburg (north- ern route)	2000	50	100,000
Lancaster and Middletown,	100	100	10,000
Susquehanna and York,	50	100	5,000
Gap and Newport,	100	50	5,000
Downingtown and Ephrata, &c.	100	100	10,000
Susquehanna and Schuylkill Ca- nal,			300,000

*Of which the following have been paid.*

Erie and Waterford Turnpike,	-	-	\$5,000
Lancaster and Middletown,	-	-	4,000
Susquehanna and Lehigh,	-	-	10,000
Easton and Wilkesbarre,	-	-	9,000
Centre,	-	-	12,328



*Debts due to the Commonwealth.*

By the estate of John Nicholson, formerly Comptroller-general, per report of the Re- gister-general of last year,	107,729	
Deduct, paid in 1809,	18,209 68	
	<hr/>	89,519 32
By the United States, arising out of monies advanced by Pennsylvania, in 1794 and 1795, to suppress the Insur- rection in certain western counties,		21,804 64
By Peter Baynton, formerly State Treasurer,		20,000
By the Trustees of the University of Pennsylvania,		10,000
By the Easton Delaware Bridge Company,		7,000
By the Commissioners of Luzerne county, for monies erroneously paid for taxes on Nichol- son's land; say, amount paid,	4,325	
Deduct, granted thereout to the Wilkes- barre Academy, per Act of 19th March, 1807,	2,000	
	<hr/>	
	2,325	
Of which has been paid,	1,000	
	<hr/>	1,325
By William M'Dermott, of Bedford county, loaned him by Act of 24th March, 1809, to be repaid (with interest) in five years,		3,000

There are outstanding balances, of some of the former and late Sheriffs, and County Treasurers (other than those in statement, No. 4): But, as all such balances may be changed, by the production of remissions, as to the former, and exonerations, &c. as to the latter, it seems unnecessary to swell the list of Debts, by stating them.

*Bank and other Stock, the Property of the Commonwealth.*

2500 Shares in the Bank of Pennsylvania, which, at par,	-	-	-	1,000,000
is	-	-	-	
5000 Shares in the Philadelphia Bank, at	-	-	-	
par,	-	-	-	500,000
233 Shares in same Bank, purchased by	-	-	-	
the Governor,	-	-	-	31,592 03
				<hr/> 531,592 03
1500 Shares in Farmers' and Mechanics'	-	-	-	
Bank, agreeably to their Charter, at par,	-	-	-	75,000
208 Shares in the same Bank, purchased	-	-	-	
by the Governor,	-	-	-	15,117 68
				<hr/> 90,117 68
United States' Stock,	-	-	-	21,410 78

*Turnpike Stock.*

Erie and Waterford,	-	-	-	5,000
Lancaster and Middletown,	-	-	-	4,000
Susquehanna and Lehigh,	-	-	-	10,000
Easton and Wilkesbarre,	-	-	-	9,000
Centre,	-	-	-	12,328

**GEORGE BRYAN.**

*Auditor-general's Office, }  
Dec. 23, 1809. }*

Receipts and Expenditures

IN THE

TREASURY

OF

*PENNSYLVANIA,*

FROM THE FIRST DAY OF DECEMBER, ONE THOUSAND EIGHT

HUNDRED AND EIGHT, TO THE THIRTIETH OF NO-

VEMBER, ONE THOUSAND EIGHT HUNDRED

AND NINE, INCLUSIVE.

---

LANCASTER,

PRINTED BY JOHN BURNSIDE.

1809.



**TREASURY-OFFICE, December 12th, 1809.**

**To the Speaker and Members of the Senate, and  
Speaker and Members of the House of Representa-  
tives.**

**GENTLEMEN,**

*I HAVE delivered, agreeably to law, to the Clerk of the House of Representatives, six hundred printed copies, of a detailed statement, of the receipts and expenditures at the Treasury-office, from the first of December, 1808, to the 30th of November, 1809, inclusive.*

*The general account, No. I. exhibits a balance of two hundred and eighty-two thousand fifty dollars and ten cents, in favor of the Commonwealth.*

*No. II. III. and IV. contain abstracts from No. I. and No. V. a recapitulation of the monthly receipts and payments.*

*I have the honor to be,*

*Gentlemen,*

*Very respectfully,*

*Your most obedient servant,*

**WILLIAM FINDLAY.**



# No. 1.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirty first of December, 1808, inclusive.*

1808. Dec. 1,	Dolls. Cts.	1808. Dec. 1,	Dolls. Cts.
<b>B</b> ALANCE remaining in the treasury on the 30th of November, as per last report	46,239 56	<b>P</b> AID Elizabeth Baxter, three months pension, due this day	No. 1 112 50
Received of Jacob Krug, treasurer of Lancaster county, on account of ta- vern licences	751	2, Paid Alexander Brown, an associate judge of Mer- cer county, one quarter's salary, due the first of October last	No. 2 35
2, Received of Jonathan Smith, treasurer of Mer- cer county, on account of tavern licences	10	Paid Stacy Potts, junior, for notifying ten of the electors of a president and vice-president of the United States, of their being elected to that trust	No. 3 40 71
6, Received of Moses Scott, treasurer of Crawford county, on account of ta- vern licences	6 91	Paid Elizabeth M'Williams, one year and seven months pension, to the first of November last	No. 4 42 23
		Paid Andrew Burkhard and others, for a certificate, No. 73, issued in their favor, for two tracts of land in Luzerne county, released to the commonwealth in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800	No. 5 1,093 49
Carried forward	47,007 47	Carried forward	1,323 93

Dr. {

Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.

the thirty-first of December, 1808, inclusive.

1808.	Dolls. Cts.	1808.	Dolls. Cts.
Dec. 5, Received of William Brownfield, treasurer of Fayette county, on account of tavern licences	47,007 47	Brought forward	1,323 98
6, Received of John Forsyth, treasurer of York county, on account of tavern licences	133	Dec. 3, Paid John Riddle, for notifying four of the electors of a president and vice-president of the United States, of their election to that trust	No. 6 53 50
And on account of exempt fines	994 40	6, Paid James Cowden, an associate judge of Dauphin county, two quarters salary, ending the 30th of September last	Nos. 7, 8 70
7, Received of John Kelso, treasurer of Erie county, on account of tavern licences	42 38	Paid John Brink, an associate judge of Wayne county, one quarters salary, due the first of October last	No. 9 35
8, Received of Robert M'Mullin, treasurer of Philadelphia county, on account of tavern licences	1,036 78	Paid the legal representatives of Nicholas Lutz, late an associate judge of Berks county, salary due at the time of his decease	No. 10 22 55
	33 43	Paid Five Withington, two quarters pension ending the 30th of September last	Nos. 11, 12 120
	251 86	7, Paid John Whiteside, for notifying six of the electors of a president and vice-president of the United States, of their being elected to that trust	No. 13 96
		Paid Thomas M'Kee, an associate judge of Venango county, one quarter's salary, due the first of October last	No. 14 35
Carried forward	48,462 54	Carried forward	1,754. 98



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of December, 1808, inclusive.*

1808.	Dolla. Cts.	1808.	Dolla. Cts.
Dec. 9, Brought forward	48,462 54	Dec. 8, Brought forward	1,754 98
Received of Jacob Krug, treasurer of Lancaster county, on account of exempt fines \$ 650		county, four quarters salary, ending the 30th of September last	No. 15 to 18 140
And on account of tavern licences 257 68			
	907 68		
Received of Jonathan Smith, treasurer of Mercer county, on account of tavern licences 43 10			
12, Received of Richard P. Lloyd, sheriff of Delaware county, on account of court fines 69 90			
13, Received of Jonathan Smith, treasurer of Mercer county, on account of tavern licences 19 93			
	49,513 15		
Carried forward		Charles Thompson, presidents	No. 19 27
		Joseph Lefever	20 12
		Adamson Tannehill	21 84
		Thomas Leiper	22 27
		Robert Giffin	23 42
		Jacob Weygandt	24 36
		Peter Kimmell	25 63
		Jacob Hostetter	26 21
		David Fullerton	27 36
		William Wilson	28 42
		James Cowden	29 21
		Gabriel Hiester, junior	30 18
		Archibald Darrah	31 27
		Carried forward	2,350 98

*Paid the following Electors of a President and Vice President of the United States.*

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of December, 1808, inclusive.*

1808.	Dolls. Cts.	1808.	Dolls. Cts.
Brought forward	49,513 15	Brought forward	2,350 98
Dec. 14, Received of John Lawrence, late treasurer of Beaver county, on account of exempt fines \$ 15 29		Dec. 8, Paid George Hartman	No. 32 24
And on account of tavern licences 57 35		Joseph Engle	33 27
	72 64	Joseph Huston	34 78
Received of James Lockhart, treasurer of Chester county, on account of tavern licences \$ 902 88		William Rodman	35 36
And on account of exempt fines 1,247 12		Paid Uriah Springer, brigade inspector of the second brigade of the thirteenth division of the militia, two quarters salary, ending the 30th of September last	
		Nos. 36, 37	60
15, Received of John Biddle, one of the assignees of Owen Biddle, a dividend of a balance due the commonwealth	2,150	10, Paid John Burnside, for printing six hundred copies of the state treasurer's report for one year, ending with the 30th of November, 1808	224
		No. 38	
		11, Paid John Fleming, an associate judge of Lycoming county, one quarter's salary, due the first of October last	35
		No. 39	
		14, Paid John McConaghey, per act of the 28th of March, 1808, the sum granted to him by said act	64
		No. 40	
		Paid James Hamilton, president of the ninth district of the court of common pleas, one quarter's salary, due the first of October last	400
		No. 41	
Carried forward	52,138 50	Carried forward	3,298 98

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10* } Cr.  
*the thirty-first of December, 1808, inclusive.*

1808.	Dolls. Cts.	1808.	Dolls. Cts.
Dec. 15, Brought forward	52,138 50	Dec. 14, Paid Michael Leib, for his attendance as one of the electors of a president and vice-president of the United States	27
19, Received of John McKisick, receiver general, monies received by him for lands in the old and new purchases	1,664 62	Paid Uriah Springer, for blank forms for the use of the second brigade of the thirteenth division of the militia, for the year 1808. Four regiments	40
20, Received of Daniel Kehr, treasurer of Washington county, on account of tavern licences	654 74	Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, for sundry disbursements for the use of his brigade	278 15
Received of Ezra Doty, treasurer of Mifflin county, on account of tavern licences	200	Paid John Cochran, an associate judge of Erie county, two quarters salary, ending the 30th of September last	70
20, Received of Robert Porter, esquire, so much recovered by him of William Henderson, formerly treasurer of Montgomery county, on account of exempt fines	848 37	16, Paid Amos Slaymaker, for services performed as brigade inspector of the second brigade of the fourth division of the militia, from the fourth of August, to the 16th of September, 1807	14 33
		17, Paid William Greear, printer of the bills of the Senate, on account	200
Carried forward	55,506 23	Carried forward	3,928 46

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr. {*  
*the thirty first of December, 1808, inclusive.*

1808.	Dolla. Cts.	1808.	Dolla. Cts.
Brought forward	55,506 23	Brought forward	3,938 48
Dec. 22, Received of George Hetch, formerly sheriff of Franklin county, on account of court fines	189 38	Dec. 19, Paid James Engle, in full for collecting an index to the journals of the house of representatives and state convention. agreeably to a resolution of the house	No. 49 850
Received of John Boden, treasurer of Cumberland county, on account of tavern licences	131	Paid B. for printing the journal of representatives in the German language	No. 50 170
Received of Enos Morris, treasurer of Bucks county, on account of tavern licences	455	Paid William McCorkle and James Elliott, for publishing in their newspaper the governor's proclamation of the election of electors of a president and vice-president of the United States	No. 51 3 75
Received of Samuel Elder, formerly sheriff of Dauphin county, on account of court fines	185 69	Paid B. Mercer, an associate judge of Washington county, four quarters salary, ending the 30th of September last	No. 52 to 55 140
Dec. 27, Received of Dennis Springer, late treasurer of Fayette county, on account of tavern licences	170	Paid James Thackara, clerk of the house of representatives, on account	No. 56 400
		Paid Thomas McKean, as governor of the commonwealth, two months and nineteen days salary, from the first of October to this day, inclusive	No. 57 1,170 38
Carried forward	56,637 30	Carried forward	4,762 56

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of December, 1808, inclusive.*

1808.	Dolla. Cts.	1808.	Dolla. Cts.
Dec. 31, Received of John McKisick, receiver general, monies received by him on the following accounts, viz. For lands in the old and new purchases \$ 1,861 18 For lots in Franklin 8 15 For office fees 68 7 Received of John MacGregor, auctioneer, on account of auction duties 11 3	Brought forward 56,637 30	Dec. 19, Paid Thomas M. Thompson, as secretary of the commonwealth, two months and nineteen days salary, from the first of October to this day, inclusive No. 58 20, Paid Andrew Norney, brigade inspector of the first brigade of the second division of the militia, two quarters salary, ending the 30th of September last Nos. 59, 60 Paid John Kean, register-general, for sundry disbursements in his office No. 61 Paid Hugh Hamilton, for printing six hundred copies of the register-general's report, for the year 1808 No. 62 Paid Jacob Fletcher, expenses of a guard employed in conveying William Smith, a convict, to the penitentiary house in Philadelphia, from the jail in Bedford county No. 63	Brought forward 6,762 56 438 89 60 37 89 59 42 60
Carried forward	58,585 73	Carried forward	7,400 94

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of December, 1808, inclusive.*

		Dolls. Cts.	1808.	Dolls. Cts.
Brought forward		58,585	73	7,400 94
Dec. 20,	Paid the late proprietaries for a certificate, No. 74, issued in their favor, for lands in Luzerne county, released to the commonwealth, in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800			No. 64 1,396 99
21,	Paid William Hamilton, a balance for printing two thousand five hundred copies of the act relating to domestic attachments, per a resolution of the 18th of December, 1807			No. 65 37 50
	Paid George Ross, an associate judge of Armstrong county, three quarters salary, ending the 30th of September last			No. 66 to 68 105
	Paid James Barr, an associate judge of Armstrong county, one quarter's salary, due the first of October last			No. 69 35
	Paid William Scott, an associate judge of Adams county two quarters salary, ending the 30th of September last			Nos. 70, 71 70

Carried forward 58,585 73

Carried forward

9,045 43

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of December, 1808, inclusive.*

		1808.			
		Dolla. Cts.		Dolla. Cts.	
Brought forward		58,585 73	Brought forward	9,045 43	
	Dec. 22, Paid James Lowrey, for his attendance as one of the electors of a president and vice-president of the United States		No. 72	3	
	Paid Henry Wynkoop, an associate judge of Bucks county, three quarters salary, ending the 30th of September last		No. 73 to 75	105	
	Paid Matthias Hutchinson, an associate judge of Bucks county, four quarters salary, ending the 30th of September last		No. 76 to 79	140	13
	Paid Thomas Long, an associate judge of Bucks county, four quarters salary, ending the 30th of September last		No. 80 to 83	140	1
	Paid Francis Murray, an associate judge of Bucks county, two quarters salary, ending the 30th of June last		Nos. 84, 85	70	
	Paid Benjamin Mayer, printer of the journal of the house of representatives in the German language, on account		No. 86	300	
Carried forward		58,585 73	Carried forward	9,803 43	

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty-first of December, 1808, inclusive.*

	Dolls. Cts.	1808.		Dolls. Cts.
Brought forward	58,585 73		Brought forward	9,803 43
		Dec. 22, Paid Josiah Y. Shaw, brigade inspector of the second brigade of the militia, one year and eighteen days salary to the first of October last	No. 87 to 89	126
		Paid Mary Backhouse, per act of the 28th of March last, in full consideration for several tracts of land in Bucks county, sold by George Wall commissioner of forfeited estates for said county	No. 90	415
		Paid William Duncan, brigade inspector in the second brigade of the first division of the militia, three quarters salary, ending the 30th of September last	No. 91 to 93	135
		Paid John Kean, as register-general, two months and twenty-one days salary, to the 21st instant, inclusive	No. 94	300
		23, Paid Josiah Y. Shaw, for blank forms for the year 1808, and sundry disbursements for the use of the second brigade second division of the militia	Nos. 95, 96	57 44
Carried forward	58,585 73		Carried forward	10,836 87



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10* } Cr.  
*the thirty-first of December, 1808, inclusive.*

1808.		Dolls. Cts.	Dolls. Cts.
Brought forward		58,585 73	10,836 87
Dec. 23, Paid Mary Cline Smith, one year's pension, ending the 29th of November last, per decree of the orphans' court of Northumberland county	No. 97		24
Paid John Burnside, printer of the bills of the house of representatives, on account	No. 98		300
24, Paid Robert Porter, the amount of an unfunded debt certificate, No. 266, issued in his favor for services in recovering sundry debts due the commonwealth	No. 99		159 50
Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first of July last	No. 100		35
26, Paid Hugh Hamilton, for publishing the governor's proclamation of the persons elected electors of a president and vice-president of the United States	No. 101		2
27, Paid James Stevenson, in full for his attendance as one of the electors of a president and vice-president of the United States	No. 102		3
Carried forward		58,585 73	11,360 37



DR. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } CR.  
 { *the thirty-first of January, 1809, inclusive.* }

[illegible]

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Jan. 10, Brought forward	48,173 43	Jan. 2, Brought forward	1,516 65
Received of Matthew Longwell, treasurer of Adams county, on account of tavern licences	378	wealth, his salary from the 20th December last until the first instant	No. 126 61 11
Received of Timothy Matlack, master of the rolls, on account of tax on patents	116 50	Paid James Trimble, deputy-secretary of the commonwealth, one quarter's salary, due the first instant	No. 127 300
Received of Jacob Saylor, late treasurer of Somerset county, on account of tavern licences	127 94	Paid John M. Miller, clerk in the receiver-general's office, one quarter's salary, due the first instant	No. 128 250
Received of George Henry, treasurer of Bedford county, on account of tavern licences	685 52	Paid John Hudders, clerk in ditto, one quarter's salary, due the first instant	No. 129 200
Received of Jacob Saylor, late treasurer of Somerset county, on account of tavern licences	60 52	Paid Richard M. Crain, register-general, salary due the first instant	No. 130 33 33
		Paid John Halsted, clerk in the comptroller-general's office, one quarter's salary, due the first instant	No. 131 212 50
		Paid Robert M'Elwce, clerk in ditto, one quarter's salary, due the first instant	No. 132 212 50
		Paid George Duffield, comptroller-general, one quarter's salary, due the first instant	No. 133 533 33
Carried forward	49,541 91	Carried forward	3,319 42

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirty first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	49,541 91	Brought forward	3,319 42
Jan. 16, Received of Henry Beader, treasurer of Dauphin county, on account of tavern licences	500	Jan. 2, Paid James Barr, an associate judge of Armstrong county, one quarter's salary, due the first instant No. 134	35
Received of John McKisick, receiver general, monies received by him for lands in the old and new purchases	\$ 1,741 41	Paid George Shiras, for five drums furnished by William Mossman, agreeably to the order of William Clarke, brigade inspector in the sixteenth division of the militia No. 135	45
And on account of office fees	102 70	Paid Hugh H. Brackenridge, an associate judge of the supreme court, one quarter's salary, due the first instant No. 136	500
	1,844 11	Paid ditto for fifty-one days circuit expenses No. 137	204
20, Received of David Denny, treasurer of Franklin county, on account of tavern licences	552	3, Paid William Cochran, clerk in the surveyor-general's office, one quarter's salary, due the first instant No. 138	133 33
		Paid Andrew Ellicott, secretary of the land-office, one quarter's salary, due the first instant No. 139	333 33
		Paid Thomas Cooper, president of the eighth district of the court of common pleas, one quarter's salary, due the first instant No. 140	400
Carried forward	52,438 2	Carried forward	4,970 8

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of January, 1809, inclusive.*

1809.	Dolls. C's.	1809.	Dolls. Cts.
Jan. 20, Brought forward	52,438 2	Jan. 3, Brought forward	4,970 8
Received of Joseph McCartney, treasurer of Indiana county on account of tavern licences	116 31	trict of the court of common pleas, one quarter's salary, due the first instant No. 141	400
Received of ditto, on account of ditto	29 69	Paid Jasper Yeates, one of the associate judges of the supreme court, one quarter's salary, due the first instant No. 142	500
Received of Robert Allison, treasurer of Huntingdon county, on account of tavern licences	259 16	Paid Catharine Alexander, one quarter's pension, due the first instant No. 143	19 20
23, Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	60	Paid William Filghman, chief-justice of the supreme court, one quarter's salary, due the first instant No. 144	666 66
24, Received of Jonathan Smith, late treasurer of Mercer county, on account of tavern licences	27 8	Paid Thomas Smith, one of the associate judges of the supreme court, one quarter's salary, due the first instant No. 145	500
		4, Paid John G. Bull, for the use of Archibald McFalk, one year's pension, due the first instant, per act of the 31st of March, 1807 No. 146	40
		Paid Andrew Ellicott, for disbursements as secretary of the land-office, for the use of said office, for three months until the first instant No. 147	89 88
Carried forward	52,930 26	Carried forward	7,185 82



{ *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } *CR.*  
*the thirty-first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Jan. 27, Brought forward	93,300 76	Jan. 5, Paid David Hunter, in right of his wife Mary; one of the heirs of William Patterson, deceased, for one sixth part of a certificate, No. 45, issued in favor of the representatives of said Patterson, for lands in Luzerne county, released to the commonwealth in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800	8,783 15
30, Received of Jacob Krug, treasurer of Lancaster county, on account of exempt fines	660	Paid Jasper Yeates, one of the judges of the supreme court, for fifty-two days expenses attending courts in Philadelphia	12 27
Received of Joshua Lipincott, auctioneer, on account of auction duties	2,679 19	6, Paid John McKissick, receiver-general, one quarter's salary, due the first instant	208
30, Received of John Connelly, auctioneer, on account of auction duties	1,011 28	Paid ditto for disbursements in his office and three months office rent, until the first instant	333 33
Received of Ebenezer Den-ny, treasurer of Allegheny county, on account of tavern licences	563 25	Paid Nathaniel B. Boileau, in full for his services whilst speaker of the house of representatives	102 74
31, Received of Samuel Cochran, surveyor-general, on account of office fees	739 73	No. 157	68 60

Carried forward 98,953 21

Carried forward

9,508 9



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of January, 1809, inclusive.*

1809,	Dolls. Cts.	1809.	Dolls. Cts.
Jan, 31, Brought forward	98,953 21	Jan. 6, Paid John Bioren, a balance for thirteen hundred copies of the eighth volume of the state laws, agreeably to contract under the acts of the 17th of March, 1806, and 24th of March, 1808	9,508 9
Received of John McKissick, receiver general, monies received by him for lands in the old and new purchases	\$ 1,724 89	Paid Jesse Fell, an associate judge of Luzerne county, one quarter's salary, due the first instant	1,827 50
And for office fees	100 57	Paid Susannah Neil, one year's pension, due the first of October last, per decree of the orphans' court of Washington county	35
Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	60	7, Paid James M'Calmont, an associate judge of Franklin county, four quarters salary, ending the 31st of December last	80
Received of John MacGregor, auctioneer, on account of auction duties	10 48	Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, one quarter's salary, due the first instant	140
		Paid ditto for blank forms for the use of his brigade for the year 1807. Six regiments	45
			60

Carried forward 100,849 15

Carried forward

11,645 59

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty-first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Jan. 31, Brought forward	100,849 15		
Received of the United States six months interest on stock, due the first instant	642 33	Jan. 7, Paid Samuel White, for the use of John Maloney, six months annuity, due the first instant, per act of the 28th of March last	No. 167 20
Received of T. B. Freeman, auctioneer, on account of auction duties	1,177 34	Paid the commissioners of Beaver county, per act of the 10th of April, 1807, for opening and improving that part of the road from the town of Beaver to the town of Mercer, which lies within Beaver county	No. 168 268 20
Received of John Tomlinson, auctioneer, on account of auction duties	31 61	Paid Jacob Rush, president of the first district of the court of common pleas, one quarter's salary, due the first instant	No. 169 500
Received of Samuel Israel, auctioneer, on account of auction duties	86 4	Paid Samuel Roberts, president of the fifth district of the court of common pleas, one quarter's salary, due the first instant	No. 170 400
Received of Andrew Bayard, auctioneer, on account of auction duties	1,642 53	Paid Bird Wilson, president of the seventh district of the court of common pleas, one quarter's salary, due the first instant	No. 171 400
Received of Enos Morris, treasurer of Bucks county, on account of exempt fines	1,300	Paid James Hamilton, president of the ninth district of the court of common pleas, one quarter's salary, due the first instant	No. 172 400
Carried forward	105,728 99	Carried forward	13,633 79

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Jan. 31, Brought forward	105,728 99	Brought forward	13,633 39
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	487 67	Jan. 7, Paid George Wallace, an associate judge of Alleghe-ny, county, one quarter's salary, due the first instant	No. 173 35
		Paid John Jones, an associate judge of Montgomery county, one quarter's salary, due the first instant	No. 174 35
		Paid Jacob F. Heston, an associate judge of Philadel-phia county, one quarter's salary, due the first instant	No. 175 50
		Paid George Ross, an associate judge of Armstrong county, one quarter's salary, due the first instant	No. 176 35
		9, Paid Hugh Lloyd, an associate judge of Delaware county, four quarters salary, ending the 31st of December last	No. 177 to 180 140
		Paid Hiram M'Neill, for the use of Thomas Snowden, one year's annuity, due the first instant	No. 181 40

Carried forward 106,216 66

Carried forward 13,968 79.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of January, 1809, inclusive.*

	Dolla. Cts.	1809.		Dolla. Cts.
Brought forward	106,216 66		Brought forward	13,968 79
		Jan. 9, Paid Richard P. Loyd, for conveying Susan Ann Rodnar, a convict, from the jail of Delaware county to the penitentiary house in Philadelphia No. 182	10	
		Paid Thomas M'Kean, junior, adjutant-general of the militia, one quarter's salary, due the first instant No. 183	150	
		Paid ditto for postage of letters on public service, from the time of his appointment, to the first instant No. 184	7 18	[ 26 ]
		Paid Henry Hawkins, master-warden of the port of Philadelphia, for salary, clerk-hire, rent and contingent expenses of the warden's office, for three months, until the first instant No. 185	312 80	
		Paid Samuel Johnston, for the use of Thomas Cox, one year's annuity, due the first instant, per act of the fourth of February last No. 186	40	
		Paid John Erwin, for powder used by him on the ninth and tenth days of May last, in training the artillery company of Bucks county, per act of the 26th of March last No. 187	15	
Carried forward	106,216 66		Carried forward	14,503 77

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty-first of January, 1809, inclusive.*

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	106,216 66		14,503 77
Jan. 9, Paid Francis Murray, an associate judge of Bucks county, two quarters salary, ending the 31st of September last		Brought forward Nos. 188, 189	70
Paid Henry Wynkoop, an associate judge of Bucks county, one quarter's salary, due the first instant		No. 190	35
10, Paid George Weaver, as clerk in the register-general's office, one quarter's salary, due the first instant		No. 191	190
Paid Anne M'Neale, three months pension, due the first instant		No. 192	45
Paid John Ryan, six months pension, due the first instant, per act of the 28th of March, 1806		No. 193	20
Paid Timothy Matlack, master of the rolls, for enrolling the laws of the session of 1807-8, furnishing copy for publication, and sundry exemptions for the use of the officers of government		No. 194	207 28
Carried forward	106,216 66	Carried forward	15,071 5

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

		Dolls. Cts.	1809.	Dolls. Cts.
Brought forward		106,216	66	15,071 5
Jan. 10,	Paid Frederick Eringer, for ammunition furnished John Connelly, commandant of the Philadelphia regiment of artillery, per act of the 26th of March last			No. 195 77 10
	Paid Abraham Doeblen, brigade inspector of the first brigade sixth division of the militia, one quarter's salary, due the first instant			No. 196 45
	Paid ditto for sundry disbursements for the use of his brigade and blank forms for the year 1809, for seven regiments			No. 197 71 34
11,	Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, one quarter's salary, due the first instant			No. 198 45
	Paid James Smith, an associate judge of Indiana county, one quarter's salary, due the first instant			No. 199 35
	Paid Michael Leib, in full for his attendance and mileage as a member of the house of representatives during the present session			No. 200 124 20
Carried forward		106,216	66	15,468 69

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of January, 1809, inclusive.

1809.		Dolls. Cts.		Dolls. Cts.
Brought forward	106,216 66		Brought forward	15,468 65
Jan. 11,	Paid James Trimble, for sundry disbursements for the contingent expenses of the executive department for three months until the first instant, per act of the 28th of March last	No. 201		652 15
	Paid Benjamin Markley, an associate judge of Montgomery county, four quarters salary, ending the 31st of December last	No. 202 to 205		140
	Paid James Thackara, clerk of the house of representatives, on account	No. 206		400
	Paid Joseph B. McKean, attorney-general, one quarter's salary, due the first instant	No. 207		166 66
12,	Paid John Creigh, an associate judge of Cumberland county, one quarter's salary, due the first instant	No. 208		35
	Paid James Martin, an associate judge of Bedford county, one quarter's salary, due the first instant	No. 209		35
	Paid John Scott, an associate judge of Bedford county, one quarter's salary, due the first instant	No. 210		35
Carried forward	106,216 66		Carried forward	16,932 48

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	106,216 66		16,932 48
Jan. 12, Paid John Dickey, an associate judge of Bedford county, four quarters salary, ending the 31st of December last			140
			No. 211 to 214
Paid Abraham Hildebrand, an associate judge of Cambria county, ten months and twenty-nine days salary, to the first of October last			No. 215
Paid William Brooke, brigade inspector in the second brigade of the third division of the militia, three quarters salary, ending the 30th of September last			127 94
			No. 216 to 218
Paid the commissioners of Somerset county, pursuant to the act of the 28th of March last, for improving the Pennsylvania state road, the Glade and New Greensburg roads between the town of Somerset and the line of Westmoreland county			90
			No. 219
Paid the commissioners of Bedford county, per act of the 28th of March last, for improving sundry roads in said county			1,500
			No. 220
			3,200
Carried forward	106,216 66	Carried forward	21,990 42



Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of January, 1809, inclusive.

1809.		Dolls. Cts.		Dolls. Cts.
Brought forward	106,216 66		Brought forward	21,990 42
			Jan. 13, Paid James Lamberton, brigade inspector of the first brigade of the seventh division of the militia, two quarters salary, ending the 31st of December last	90
			Nos. 221, 222	
			Paid ditto for blank forms for the use of his brigade for the year 1809, and sundry disbursements	18
			No. 223	
			14, Paid Ritter and company, printers of the journal of the senate in the German language, on account	31
			No. 224	
			Paid Andrew Graff, an associate judge of Lancaster county, one quarter's salary, due the first instant	200
			No. 225	
			Paid John Light, brigade inspector of the first brigade of the fourth division of the militia, one quarter's salary, due the first instant	35
			No. 226	
			Paid James Patterson, brigade inspector of the second brigade of the fourth division of the militia, one quarter's salary, due the first instant	30
			No. 227	
Carried forward	106,216 66		Carried forward	22,455 60

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of January, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Jan. 31, Brought forward	100,849 15	Jan. 7, Paid Samuel White, for the use of John Maloney, six months annuity, due the first instant, per act of the 28th of March last	20
Received of the United States six months interest on stock, due the first instant	642 33	Paid the commissioners of Beaver county, per act of the 10th of April, 1807, for opening and improving that part of the road from the town of Beaver to the town of Mercer, which lies within Beaver county	No. 168 268 20
Received of T. B. Freeman, auctioneer, on account of auction duties	1,177 34	Paid Jacob Rush, president of the first district of the court of common pleas, one quarter's salary, due the first instant	No. 169 500
Received of John Tomlinson, auctioneer, on account of auction duties	31 61	Paid Samuel Roberts, president of the fifth district of the court of common pleas, one quarter's salary, due the first instant	No. 170 400
Received of Samuel Israel, auctioneer, on account of auction duties	86 4	Paid Bird Wilson, president of the seventh district of the court of common pleas, one quarter's salary, due the first instant	No. 171 400
Received of Andrew Bayard, auctioneer, on account of auction duties	1,642 52	Paid James Hamilton, president of the ninth district of the court of common pleas, one quarter's salary, due the first instant	No. 172 400
Received of Enos Morris, treasurer of Bucks county, on account of exempt fines	1,300		
Carried forward	105,728 99	Carried forward	13,633 79

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	105,728 99	Brought forward	13,633 39
Jan. 31, Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	487 67	Jan. 7, Paid George Wallace, an associate judge of Allegheny, county, one quarter's salary, due the first instant	35
		Paid John Jones, an associate judge of Montgomery county, one quarter's salary, due the first instant	35
		Paid Jacob F. Heston, an associate judge of Philadelphia county, one quarter's salary, due the first instant	50
		Paid George Ross, an associate judge of Armstrong county, one quarter's salary, due the first instant	35
		9, Paid Hugh Lloyd, an associate judge of Delaware county, four quarters salary, ending the 31st of December last	140
		Paid Hiram McNeill, for the use of Thomas Snowden, one year's annuity, due the first instant	40

Carried forward

106,216 66

Carried forward

13,968 79.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of January, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	106,216 66		13,968 79
Jan. 9, Paid Richard P. Loyd, for conveying Susan Ann Rodnar, a convict, from the jail of Delaware county to the penitentiary house in Philadelphia No. 182.			10
Paid Thomas M'Kean, junior, adjutant-general of the militia, one quarter's salary, due the first instant No. 183			150
Paid ditto for postage of letters on public service, from the time of his appointment, to the first instant No. 184			7 18
Paid Henry Hawkins, master-warden of the port of Philadelphia, for salary, clerk-hire, rent and contingent expenses of the warden's office, for three months, until the first instant No. 185			312 80
Paid Samuel Johnston, for the use of Thomas Cox, one year's annuity, due the first instant, per act of the fourth of February last No. 186			40
Paid John Erwin, for powder used by him on the ninth and tenth days of May last, in training the artillery company of Bucks county, per act of the 26th of March last No. 187			15
Carried forward	106,216 66	Carried forward	14,508 77

DR. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } CR.  
the thirty first of January, 1809, inclusive.*

		Dolls. Cts.		Dolls. Cts.
Brought forward		106,216 66	Brought forward	14,503 77
Jan. 9, Paid Francis Murray, an associate judge of Bucks county, two quarters salary, ending the 31st of September last			Nos. 188, 189	70
Paid Henry Wynkoop, an associate judge of Bucks county, one quarter's salary, due the first instant			No. 190	35
10, Paid George Weaver, as clerk in the register-general's office, one quarter's salary, due the first instant			No. 191	190
Paid Anne McNeale, three months pension, due the first instant			No. 192	45
Paid John Ryan, six months pension, due the first instant, per act of the 28th of March, 1806			No. 193	20
Paid Timothy Matlack, master of the rolls, for enrolling the laws of the session of 1807-8, furnishing copy for publication, and sundry exemptions for the use of the officers of government			No. 194	207 23
Carried forward		106,216 66	Carried forward	15,071 5

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of January, 1809, inclusive.

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	106,216 66		Brought forward	15,071 00
		Jan. 10, Paid Frederick Eringer, for ammunition furnished John Connelly, commandant of the Philadelphia regiment of artillery, per act of the 26th of March last	No. 195	77 10
		Paid Abraham Doeblen, brigade inspector of the first brigade sixth division of the militia, one quarter's salary, due the first instant	No. 196	45
		Paid ditto for sundry disbursements for the use of his brigade and blank forms for the year 1809, for seven regiments	No. 197	71 34
		11, Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, one quarter's salary, due the first instant	No. 198	45
		Paid James Smith, an associate judge of Indiana county, one quarter's salary, due the first instant	No. 199	35
		Paid Michael Leib, in full for his attendance and mileage as a member of the house of representatives during the present session	No. 200	124 20
Carried forward	106,216 66		Carried forward	15,468 69

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of January, 1809, inclusive.

Dolls. Cts.		1809.	Dolls. Cts.	
Brought forward	106,216 66		Brought forward	15,468 69
		Jan. 11, Paid James Trimble, for sundry disbursements for the contingent expenses of the executive department for three months until the first instant, per act of the 28th of March last	No. 201	632 13
		Paid Benjamin Markley, an associate judge of Montgomery county, four quarters salary, ending the 31st of December last	No. 202 to 205	140
		Paid James Thackara, clerk of the house of representatives, on account	No. 206	400
		Paid Joseph B. McKean, attorney-general, one quarter's salary, due the first instant	No. 207	166 66
		12, Paid John Creigh, an associate judge of Cumberland county, one quarter's salary, due the first instant	No. 208	35
		Paid James Martin, an associate judge of Bedford county, one quarter's salary, due the first instant	No. 209	35
		Paid John Scott, an associate judge of Bedford county, one quarter's salary, due the first instant	No. 210	35
Carried forward	106,216 66		Carried forward	16,932 48

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	106,216		48
Jan. 12, Paid John Dickey, an associate judge of Bedford county, four quarters salary, ending the 31st of December last		Brought forward	16,932
		No. 211 to 214	140
Paid Abraham Hildebrand, an associate judge of Cambria county, ten months and twenty-nine days salary, to the first of October last		No. 215	127
Paid William Brooke, brigade inspector in the second brigade of the third division of the militia, three quarters salary, ending the 30th of September last		No. 216 to 218	94
Paid the commissioners of Somerset county, pursuant to the act of the 28th of March last, for improving the Pennsylvania state road, the Glade and New Greensburg roads between the town of Somerset and the line of Westmoreland county		No. 219	90
		No. 220	1,500
Paid the commissioners of Bedford county, per act of the 28th of March last, for improving sundry roads in said county			3,200
Carried forward	106,216	Carried forward	21,990
	66		42



Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of January, 1809, inclusive.

		1809.	
		Dolls. Cts.	Dolls. Cts.
Brought forward		106,216 66	21,990 42
Jan. 13,	Paid James Lamberton, brigade inspector of the first brigade of the seventh division of the militia, two quarters salary, ending the 31st of December last		90
	Nos. 221, 222		
	Paid ditto for blank forms for the use of his brigade for the year 1809, and sundry disbursements		18
	No. 223		31
14,	Paid Ritter and company, printers of the journal of the senate in the German language, on account		200
	No. 224		
	Paid Andrew Graff, an associate judge of Lancaster county, one quarter's salary, due the first instant		35
	No. 225		
	Paid John Light, brigade inspector of the first brigade of the fourth division of the militia, one quarter's salary, due the first instant		30
	No. 226		
	Paid James Patterson, brigade inspector of the second brigade of the fourth division of the militia, one quarter's salary, due the first instant		30
	No. 227		

Carried forward

106,216 66

Carried forward

22,455 60

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty-first of January, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	106,216 66		22,455 60
Jan. 16, Paid John Carson, an associate judge of Dauphin county, one quarter's salary, due the first instant No. 228			35
Paid William Duncan, brigade inspector of the second brigade of the first division of the militia, one quarter's salary. due the first instant No. 229			45
Paid ditto for the use of his brigade and blank forms for the year 1809 No. 230			86 59
Paid John Dorséy, for the use of Albright Weaver, one year's annuity, due the first instant, per act of the 28th of March last No. 231			20
17, Paid Rees Hill, brigade inspector of the second brigade of the fourteenth division of the militia, one quarter's salary, due the first instant No. 232			30
Paid ditto for sundry disbursements for the use of his brigade and blank forms for the year 1809 No. 233			49 50
Paid William Brown, an associate judge of Mifflin county, one quarter's salary, due the first instant No. 234			35
Carried forward	106,316 66	Carried forward	22,776 69

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr*  
*the thirty-first of January, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	106,216 66		Brought forward	22,776 61
		Jan. 18, Paid Jonathan Walker, president of the fourth district of the court of common pleas, one quarter's salary, due the first instant	No. 235	400
		Paid Ruth Johnston, one quarter's pension, due the first instant	No. 236	40
		19, Paid Benjamin Grimler, printer of the journal of the house of representatives, a balance due to him for printing the journal of last session	No. 237	163
		Paid Frederick Wolbert, an associate judge of Philadelphia county, one quarter's salary, due the first instant	No. 238	30
		Paid John Young, president of the tenth district of the court of common pleas, one quarter's salary, due the first instant	No. 239	400
		20, Paid David Stewart, an associate judge of Huntingdon county, five quarters salary, ending the 30th of December last	No. 240 to 244	175
Carried forward	106,216 66		Carried forward	24,003 6

22. { Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to }  
the thirty first of January, 1809, inclusive.

		Dolls. Crs.		Dolls.	
Brought forward		106,216 66		Brought forward	
Jan 20, Paid George Ross, for running and marking the boundary lines of the counties of McKean, Potter and Tioga, and returning a draught of the same to the office of the secretary of the commonwealth, per acts of the 26th of March, 1804, and 13th of April, 1807				No. 245	
21, Paid the late proprietaries for a certificate issued in their favor, No. 77, for seventy-four acres twenty-eight perches of land in Luzerne county, released to the commonwealth, in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800				No. 246	
Paid James Agnew, brigade inspector of the second brigade of the twelfth division of the militia, for sundry disbursements made by him for his brigade				No. 247	
Paid Jacob Hostetter, an associate judge of York county, one quarter's salary, due the first instant				No. 248	
Carried forward		106,216 66		Carried forward	
				24,79	

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of January, 1809, inclusive.*

		Dolla. Cts.		Dolla. Cts.
Brought forward		106,216 66		24,790 7
1809.				
Jan. 23,	Paid John Young, brigade inspector of the first brigade of the eleventh division of the militia, one quarter's salary, due the first instant		No. 249	52 50
	Paid ditto for blank forms for the use of his brigade for the year 1809. Seven regiments		No. 250	70
	Paid Alexander Brown, an associate judge of Mercer county, one quarter's salary, due the first instant		No. 251	35
	Paid Samuel Stewart, brigade inspector of the first brigade of the tenth division of the militia, one quarter's salary, due the first instant		No. 252	30
24,	Paid John Ralston, an associate judge of Chester county, one quarter's salary, due the first instant		No. 253	35
	Paid John Brink, an associate judge of Wayne county, one quarter's salary, due the first instant		No. 254	35
	Paid Frederick Evans, brigade inspector of the first brigade of the ninth division of the militia, one quarter's salary, due the first instant		No. 255	30
Carried forward		106,216 66	Carried forward	24,790 7

R. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } C*  
*the thirty first of January, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. C
Brought forward	106,316 66		Brought forward	25,077
		Jan. 24, Paid Frederick Evans, brigade inspector of the first brigade of the ninth division of the militia, for blank forms for the use of his brigade for the year 1809. Four regiments No. 256		40
		Paid William Clarke, an associate judge of Crawford county, one quarter's salary, due the first instant No. 257		35
		Paid ditto as brigade inspector of the first brigade of the sixteenth division of the militia, one quarter's salary, due the first instant No. 258		53
		Paid John Kimmell, an associate judge of Somerset county, four quarters salary, ending the 31st of December last No. 259 to 262		140
		Paid Alexander Ogle, for the use of Dennis M'Knight, six months annuity, due the first instant, per act of the 26th of January, 1807 No. 263		20
		Paid Alexander Ogle, for the use of Christian Shoc- key, six months annuity, due the first instant, per act of the 24th of March last No. 264		20
Carried forward	106,316 66		Carried forward	95,385

*itures in the TREASURY of PENNSYLVANIA, from the first to }  
the thirty-first of January, 1809, inclusive.*

<i>Dolls. Cts.</i>	1809.	<i>Dolls</i>
106,216 66		25,38
	Brought forward	
	Jan. 25, Paid Casper Shaffner, for a new loan certificate, No. 6756, in his favor which has been assigned to the commonwealth, agreeably to an act of the general assembly passed the 24th instant No. 265	\$1
	Paid William Barber, for costs on a suit brought by the commonwealth against William Findlay, of York county, on his road contract in which the commonwealth was non-suited No. 266	1
	27, Paid Adam Koch, six months annuity, due the first instant, per act of the 21st of March, 1806 No. 267	2
	Paid William Scott, an associate judge of Adams county, one quarter's salary, due the first instant No. 268	3
	28, Paid Richard Brodhead, an associate judge of Wayne county, one quarter's salary, due the first instant No. 269	3
	Paid ditto as brigade inspector of the second brigade of the eighth division of the militia, one quarter's salary, due the first instant No. 270	3
	Carried forward	25,82
106,216 66		

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of January, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	106,216	66	25,834 87
Jan. 28, Paid Richard Brodhead, brigade inspector of the second brigade of the eighth division of the militia, for blank forms for the use of his brigade for the year 1809.			No. 271 50
Paid Josiah Y. Shaw, brigade inspector of the second brigade of the second division of the militia, one quarter's salary, due the first instant			No. 272 30
Paid ditto for blank forms for the use of his brigade for the year 1809. Four regiments			No. 273 40
Paid William Bingham, for a certificate, No. 78, issued in his favor for four hundred and thirty acres forty perches of land, released to the commonwealth in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800			No. 274 430 41
30, Paid George Graham, brigade inspector of the first brigade of the twelfth division of the militia, two quarters salary, ending the 31st of December last			Nos. 275, 276 60

Carried forward

106,216 66

Carried forward

26,445 28





*penditures in the TREASURY of PENNSYLVANIA, from the first to } C  
the thirty-first of January, 1809, inclusive.*

Dolla. Cts.	1809.	Dolla.
rd 106,216 66	27,172	

Balance

78,975

\$ 106,216 66

\$ 106,216

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to the twenty-eighth of February, 1809, inclusive.* }

1809.		Dolla. Cts.	1809.	Doll	
Feb. 1,	Balance from last month	78,975 79	Feb. 1,	Paid Henry Slaymaker and company, for carriage by the stage of sundry boxes containing militia commissions forwarded from the office of the secretary of the commonwealth	No. 287
	Received of Josiah Lewis, treasurer of Delaware county, on account of exempt fines	\$ 152 15		Paid John Lee, brigade inspector of the second brigade of the eleventh division of the militia, one quarter's salary, due the first of January last	No. 288
	And on account of tavern licences	332 15		Paid ditto for one year's rent of a room for the storage of public arms, ammunition, &c. to the eighth of November last	No. 289
		484 30	2,	Paid Nathan Dennison, an associate judge of the court of common pleas of Luzerne county, two quarters salary, ending the 30th of September last	No. 290, 291
	9, Received of James Lockhart, treasurer of Chester county, on account of exempt fines	689 60		Paid William Brooke, brigade inspector of the second brigade of the third division of the militia, one quarter's salary, due the first of January last	No. 292
	Received of Jacob Krug, treasurer of Lancaster county, on account of tavern licences	1,000		Paid ditto for blank forms for the use of his brigade for the year 1809. Four regiments	No. 293
10,	Received of Enos Morris, late treasurer of Bucks county, on account of tavern licences	630 30			
	Carried forward	81,779 99		Carried forward	

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to the twenty-eighth of February, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla.
Brought forward	31,779 99	Brought forward	312
Feb. 11, Received of Dennis Springer, late treasurer of Fayette county, on account of tavern licences	95	Feb. 3, Paid Jonathan B. Smith, an associate judge of Philadelphia county, one quarter's salary, due the first of January last	No. 294 50
13, Received of John McKisick, receiver general, monies received by him on the following accounts, viz.		Paid Jesse Moore, president of the sixth district of the court of common pleas, one quarter's salary, due the first of January last	No. 295 40
For lands in the old and new purchases	\$ 3,052 99	4, Paid Alexander Wright, an associate judge of Mercer county, one quarter's salary, due the first of January last	No. 296 31
For lots in Frank-		Paid John Smith, as colonel of the fifteenth regiment in the second brigade of the second division of the militia, for disbursements made by him in the years 1803 and 1805	No. 297 20
lin	52 15	Paid the late proprietaries for a certificate, No. 76, issued in their favor for seven hundred and ninety acres and two perches of land in Luzerne county, released to the commonwealth, in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800	No. 298 4,171
For office fees	92 22		
Received of Andrew D. Hepburn, late treasurer of Lycoming county, on account of tavern licences	275 55		
Carried forward	85,327 90	Carried forward	4,891

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to* } Cr.  
*the twenty-eighth of February, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	85,327 90	Brought forward	4,890 95
Feb. 15, Received of Jacob Krug, treasurer of Lancaster county, on account of tavern licences	1,000	Feb. 7, Paid David Drennan, an associate judge of Beaver county, one quarter's salary, due the first of January last	No. 299 35
17, Received of Robert Grayson, formerly sheriff of Cumberland county, on account of court fines	20	Paid Benjamin Grimler, printer of the journal of the house of representatives in the English language, on account	No. 300 700
20, Received of Joseph Reed, prothonotary of the superior court of an act dated the 14th instant, entitled "An act relating to the lien of the commonwealth on the estate of William Nichols, deceased"	13,482 65	10, Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first of January last	No. 301 35
		11, Paid George Bryan, clerk of the senate, a balance due him on a settlement with the committee of accounts	No. 303 164 23
		Paid William Henry, an associate judge of Northampton county, one quarter's salary, due the first of January last	No. 303 35
		Paid George Armstrong, brigade inspector of the first brigade of the thirteenth division of the militia, one quarter's salary, due the first of January last	No. 304 37 50
Carried forward	99,830 55	Carried forward	5,897 68

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } C*  
*the twenty-eighth of February, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	99,830 55	Brought forward	5,897
Feb. 20, Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	74 10	Feb. 13, Paid Robert Hunter, the sum granted to him as a gratuity pursuant to the act of the 28th of March last	No. 303 40
25, Received of John K. Messersmith, treasurer of Berks county, on account of tavern licences	1,219 2	Paid David Hunter, for the use of Robert Hunter, one year's annuity, to the first of January last, per act of the 28th of March last	No. 306 40
Received of Charles Bidle, late prothonotary of the court of common pleas of Philadelphia county, on account of a tax on said office	3,103 13	Paid Samuel Stewart, brigade inspector of the first brigade of the tenth division of the militia, for blank forms for the use of said brigade for the year 1809	No. 307 40
27, Received of John MacGregor, auctioneer, on account of auction duties	5 86	Paid Frederick Fultz, six months annuity, due the 12th instant, per act of the 25th of March, 1805	No. 308 20
		14, Paid Elizabeth Darr, one year's pension, due the first of January, 1809, per decree of the orphans' court of Lancaster county	No. 309 26
		15, Paid George Bryan, clerk of the senate, to enable him to pay the contingent expenses of the senate, and for which he is to be accountable	No. 310 400
Carried forward	104,232 66	Carried forward	6,464



Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr.  
the twenty-eighth of February, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Feb. 28, Brought forward	106,829 75	Feb. 22, Brought forward	7,010 72
Received in payments on the bond's given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	6,385 83	Paid Francis McClure, for the use of Gasper Driver, one year's annuity, due the first of January last, per act of the fourth of March, 1807 No. 317	40
		Paid Thomas Campbell, for the use of Edward Cave-nough, six months annuity, to the first of Octo-ber, 1808, per act of the 28th of March, 1808 No. 318	20
		Paid James Diemer, an associate judge of Berks coun-ty, five quarters salary, ending the 31st of De-cember last No. 319 to 323	175
		Paid Benjamin Morris, an associate judge of Berks county, four quarters salary, ending the 30th of Sep-tember last No. 324 to 327	140
		Paid David Beale, an associate judge of Mifflin county, two quarters salary, ending the 31st of De-cember last Nos. 328, 329	70
Carried forward	113,215 58	Carried forward	7,456 72



DR. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cl.*  
*the twenty-eighth of February, 1809, inclusive.*

<b>Brought forward</b>	<b>Dolls. Cts.</b>	<b>1809.</b>	
	<b>113,215 58</b>		
<hr/>			
<b>Feb. 28, Paid to</b>	<b>Brought forward</b>		<b>Dolls. C</b>
<b>John McDowell, an associate judge of Alleg-</b>			<b>7,455</b>
<b>hany county, five quarters salary, ending the 31st</b>			
<b>of December last</b>			<b>175</b>
		<b>Balance</b>	<b>105,584</b>
<hr/>			
	<b>\$ 113,215 58</b>		<b>\$ 113,215</b>



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to*  
*the thirty first of March, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Do
Brought forward	107,229 70	Brought forward	1,
March 15, Received of John M'Kis- sick, receiver general, monies received by him on the following accounts, viz.		March 7, Paid William Ross, brigade inspector of the second brigade of the ninth division of the militia, one quarter's salary, due the first of January last	No. 340
For lands in the old and new purchases	\$ 1,826 4	Paid ditto for sundry disbursements and blank forms for the use of his brigade the present year	No. 341
For lots in Frank- lin	15 91	Paid Henry Miller, for binding two hundred and fifty copies of the eighth volume of the state laws, pursuant to an act of the assembly of the fourth of April, 1792	No. 342
For ditto in War- ren	150	Paid William Kirkpatrick and Jeremiah Mosher, in behalf of lodge, No. 43, for one year's rent of the lodge-room, occupied by the comptroller-general's office, due the first of April last	No. 343
For office fees	109 95	Paid John Bioren, for thirty-five copies of the state laws, in eight volumes, purchased under a resolu- tion of the eighth of February last	No. 344
Received of George Coch- ran, treasurer of Alleg- heny county, on account of tavern licences	108 55	Paid David Jackson, six months pension, due the first of January last	No. 345
Carried forward	109,440 15	Carried forward	3.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of March, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
<i>March</i> 16, Received of Simon Snyder, late treasurer of Northumberland county, on account of the loan-office of 1793      \$ 40 30	109,440 15	Brought forward	2,448 44
And on account of tavern licences      13 20		<i>March</i> 8, Paid George Duffield, for sundry disbursements for the contingent expenses of the comptroller-general's office      No. 346	42 9
24, Received of John McChandler, late sheriff of Butler county, on account of court fines      53 50		Paid Simon Snyder, a balance over-paid by him on account of exempt fines as late treasurer of Northumberland county      No. 347	17 68
29, Received of Abraham Miller, late sheriff of Somerset county, on account of court fines      4 59		10, Paid William Jack, an associate judge of Westmoreland county, four quarters salary, ending the 31st of December last      No. 348 to 351	140
30, Received of Jacob Krug, treasurer of Lancaster county, on account of tavern licences      165		Paid Jacob Painter, an associate judge of Westmoreland county, three quarters salary, ending the 31st of December last      No. 352 to 354	105
		Paid Walter Finney, an associate judge of Chester county, one quarter's salary, due the first of January last      No. 355	35
		Paid William Greear, printer of the bills of the senate, on account      No. 356	100
		Carried forward	2,888 21

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of March, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
<i>March</i> 30, Received of Robert Lewis, late treasurer of Greene county, on account of exempt fines	Brought forward 109,672 51	<i>March</i> 17, Paid the commissioners of Mercer county, per act of the 10th of April, 1807, for opening and improving such part of the road from the town of Beaver to the town of Mercer, as lies within Mercer county	Brought forward 2,888 31
31, Received of Dennis Springer, late treasurer of Fayette county, on account of tavern licences	7 11	Paid William McClelland, brigade inspector of the second brigade of the fifth division of the militia, one quarter's salary, due the first of January last	No. 357 181 80
Received of T. B. Freeman, late auctioneer, on account of auction duties	55	Paid ditto for blank forms for the use of his brigade for the year 1809	No. 358 30
Received in payments on the bonds given to the commissioners appointed	132 74	18, Paid John Hays, sheriff of Lycoming county, for compensation and expenses of a guard employed to assist in conveying Jedediah Seward, a convict, to the	No. 359 4 0

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of March, 1809, inclusive.

Dolls. Cts.		1809.	Dolls. Cts.	
Brought forward	116,505	30	Brought forward	3,214 1
			March 23, Paid Joseph Fry, sergeant-at-arms to the house of representatives, for serving subpoenas on witnesses in the case of judge Rush No. 362 23 20	
			Paid John Crosby, an associate judge of Delaware county, three quarters salary, ending the 31st of December last No. 363 to 365 105	
			Paid Benjamin Mayer, printer of the journal of the house of representatives, on account No. 366 300	
			25, Paid Charles Campbell, an associate judge of the court of common pleas of Indiana county, one quar- ter's salary, due the first of October last No. 367 35	
			27, Paid Catharine Shibe, widow of Matthias Shibe, agreeably to an act passed the 23d instant, for ser- vices performed by the said Matthias Shibe dur- ing the revolutionary war No. 368 40	
Carried forward	116,505	30	Carried forward	3,717 21

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty-first of March, 1809, inclusive.

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	116,505	30	Brought forward	3,717 21
			March 28, Paid the late proprietaries for a certificate, No. 79, issued in their favor for five hundred and thirty-eight acres feventy-eight perches of land in Luzerne county, released to the commonwealth, in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800	1,882 19
			29, Paid Henry Lechler, door-keeper, to the house of representatives, for a balance due to him on account of suudries furnished the present house	53
			No. 370	8 83
			Paid Thomas Kennedy, sheriff of Somerset county, for conveying Jacob Baker, a convict, from the jail of Somerset county to the penitentiary house in Philadelphia	203 50
			31, Paid Joseph B. M'Kean, late attorney-general of the commonwealth, salary due to him from the first to the eighth of January last, inclusive	14 81
			No. 372	
Carried forward	116,505	30	Carried forward	5,826 54

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of March, 1809, inclusive.*

1809.		Dolla. Cts.
Brought forward		116,505 30
March 31, Paid Grizzel Robinson, one year's annuity, due to her in May, 1808		23 51
Balance		110,655 25

\$ 116,505 30

\$ 116,505 30



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirtieth of April, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
<i>April</i> 1, Balance from last month	110,655 25	<i>April</i> 1, Paid John Ralston, an associate judge of Chester county, one quarter's salary, due this day	No. 373 35
3, Received of John Kelso, late treasurer of Erie county, on account of tavern licences	25 8	Paid John Davis, an associate judge of Chester county, two quarters salary, ending the 31st of March last	Nos. 374, 375 70
Received of John M'Kissick, receiver general, monies received by him on the following accounts, viz.		Paid George Worrall, clerk to the secretary of the land-office, one quarter's salary, due this day	No. 376 266 50
For lands in the old and new purchases	\$ 4,190 53	Paid Ephraim Morton, clerk to ditto, one quarter's salary, due this day	No. 377 183 50
For lots in Beaver	122 43	Paid Joseph Ellicott, clerk to ditto, one quarter's salary, due this day	No. 378 100
For ditto in Franklin	17 3	Paid James McCullough, clerk in the surveyor-general's office, one quarter's salary, due this day	No. 379 108 38
For office fees	157 15	Paid John Wilson, for carriage of four hundred stands of public arms from the borough of Lancaster for the use of the fifteenth division of the militia	No. 380 300
	<u>4,487 14</u>		
Carried forward	115,167 47	Carried forward	1,063 33

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirtyeth of April, 1809, inclusive.*

1809.	Dolls. C's.	1809.	Dolls. C's.
<i>April 4,</i> Brought forward	115,167 47	Brought forward	1,063 33
Received of Moses Scott, late treasurer of Crawford county, on account of tavern licences	55 90	Paid Adam Harper, an associate judge of Centre county, four quarters salary, ending the 31st of March last	No. 381 to 384 140
Received of John Lawrence, late treasurer of Beaver county, on account of tavern licences	100	Paid Charles Miner, for publishing, in his newspaper sundry acts of the assembly, as directed by a resolution of the 28th of March, 1808	No. 385 36
Received of Joseph McCartney, late treasurer of Indiana county, on account of tavern licences	3	Paid Nathan Dennison, an associate judge of Luzerne county, one quarter's salary, due the first of January last	No. 386 35
Received of John Boden, treasurer of Cumberland county, on account of tavern licences	62 75	Paid Samuel Stewart, brigade inspector of the first brigade of the tenth division of the militia, one quarter's salary, due this day	No. 387 30
Received of Andrew Elliott, secretary of the land-office, on account of office fees	1,050 15	Paid David Beale, an associate judge of Mifflin county, one quarter's salary, due this day	No. 388 35
		Paid Abraham Hildebrand, an associate judge of Cambria county, one quarter's salary, due the first of January last	No. 389 35
		Paid Benjamin Elliott, an associate judge of Huntingdon county, two quarters salary, ending the 31st of March last	Nos. 390, 391 70
Carried forward	116,439 27	Carried forward	1,444 33

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirtieth of April, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	116,439 27	Brought forward	1,444 33
April 6, Received of Elisha Moore, treasurer of Centre county, on account of tavern licences	275 88	April 3, Paid Frederick Wolbert, as late an associate judge of Philadelphia county, one month's salary, to the 30th of January last	No. 392 16 67
10, Received of John Boden, treasurer of Cumberland county, on account of tavern licences	300	Paid Jacob Rudizell, an associate judge of York county, four quarters salary, ending the 31st of March last	No. 393 to 396 140
Received a credit on the books of the Philadelphia bank, for six months dividend on four thousand six hundred and forty-two shares of stock held by the state in said bank	18,568	Paid Jacob Hostetter, an associate judge of York county, one quarter's salary, due the first instant	No. 397 35
15, Received of John Stroman, treasurer of York county, on account of tavern licences	125 40	Paid William Findlay, treasurer of the commonwealth, one quarter's salary, due the first instant	No. 398 333 33
		Paid Alexander Wilson, clerk in the state-treasurer's office and on the loan-office books, one quarter's salary, due the first instant	No. 399 266 66
		Paid John Joseph Henry, president of the second district of the court of common pleas, one quarter's salary, due the first instant	No. 400 400

Carried forward 135,708 55

Carried forward

2,635 99

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to {*  
*the thirtieth of April, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla
Brought forward	135,708 55	Brought forward	2,63
April 17, Received of John McKis- sick, receiver general, monies received by him for lands in the old and new purchases		April 3, Paid William Clarke, an associate judge of Crawford county, one quarter's salary, due the first instant No. 401	1
29, Received of Jacob Krug, treasurer of Lancaster county, on account of ex- empt fines	1,424 14	Paid ditto as brigade inspector of the first brigade of the sixteenth division of the militia, one quarter's salary, due the first instant No. 402	1
Received of Joshua Lip- pincott, late auctioneer, on account of auction du- ties	260	Paid Jesse Moore, president of the sixth district of the court of common pleas, one quarter's salary, due the first instant No. 403	4
		Paid Richard M. Crain, register-general, one quar- ter's salary, due the first instant No. 404	3
		Paid William Amberson, an associate judge of Mer- cer county, four quarters salary, ending the 31st of March last No. 405 to 408	1
		Paid Hugh Martin, for the use of Jeremiah Lough- rey, one year's annuity, due the first instant, per act of the fourth of March, 1807 No. 409	1
		Paid Andrew Ellicott, secretary of the land-office, one quarter's salary, due the first instant No. 410	2
Carried forward	138,014 35	Carried forward	2,9

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirtieth of April, 1809, inclusive.*

1809.		Dolls. Cts.		Dolls. Cts.
Brought forward		138,014 35	Brought forward	3,970 15
April 3,	Paid William Gilleland, an associate judge of Adams county, three quarters salary, ending the 31st of December last		No. 411 to 413	105
	Paid William Scott, an associate judge of ditto, one quarter's salary, due the first instant		No. 414	35
	Paid James Martin, an associate judge of Bedford county, one quarter's salary, due the first instant		No. 415	35
	Paid John Scott, an associate judge of ditto, one quarter's salary, due the first instant		No. 416	35
	Paid Thomas Cooper, president of the eighth district of the court of common pleas, one quarter's salary, due the first instant		No. 417	400
4,	Paid James M'Calmont, an associate judge of Franklin county, one quarter's salary, due the first instant		No. 418	35
	Paid David Ryner, clerk to the secretary of the land-office, one quarter's salary, due the first instant		No. 419	100
Carried forward		138,014 35	Carried forward	4,715 15

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtyeth of April, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	138,014 35		
April 4, Paid Nathaniel Bredding, an associate judge of Fayette county, four quarters salary, ending the 31st of March last			4,715 15
		No. 420 to 423	140
Paid John Minor, an associate judge of Greene county, two quarters salary, ending the 31st of March last		Nos. 424, 425	70
Paid Joseph Clendenin, clerk in the surveyor-general's office, one quarter's salary, due the first instant		No. 426	158 33
Paid James Boyd, an associate judge of Chester county, two quarters salary, ending the 31st of March last.		Nos. 427, 428	70
Paid Jacob F. Heston, as an associate judge of Philadelphia county, salary due to him on the fourth of February last		No. 429	18 89
Paid William Crawford, as late an associate judge of Adams county, salary due to him on the 20th of October last		No. 430	7 77

Carried forward

138,014 35

Carried forward

5,180 14

[ 60 ]

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.

the thirtyeth of April, 1809, inclusive.

		1809.	
		Dolla. Cts.	Dolla. Cts.
Brought forward		138,014 35	5,180 14
April 4, Paid Frederick Evans, brigade inspector of the first brigade of the ninth division of the militia, one quarter's salary, due the first instant No. 431 30			
Paid Archibald S. Jordan, as brigade inspector of the first brigade of the fifth division of the militia, five quarters salary, ending the 31st of March last No. 432 to 436 187 50			
Paid ditto for blank forms for the use of his brigade, for the year 1809. Five regiments No. 437 50			
Paid John Boden, the amount paid by him to captain John McCarrell, for the carriage of a cannon from Philadelphia to Shippensburg, and sundry repairs to the carriage and building a temporary house for the same No. 438 62 75			
Paid James Armstrong, an associate Judge of Cumberland county, salary from the 12th of September last, until the first instant No. 439 77			
Paid John Moore, as clerk in the register-general's office, salary from the 25th of January to the first instant No. 440 145			
Carried forward		138,014 35	5,732 39

*the TREASURY of PENNSYLVANIA, from the first to } Cr.  
thirtieth of April, 1809, inclusive.*

<i>Dolla. Cts.</i>	1809.	<i>Dolla. Cts.</i>
138,014 35		5,732 39
	<i>April 4,</i> Paid Hugh H. Brackenridge, an associate judge of the supreme court, one quarter's salary, due the first instant No. 441 500	
	Paid ditto for expenses in attending the court in Philadelphia, from the seventh of December, 1808, to the eighth of January last No. 442 132	
	Paid Catharine Alexander, one quarter's pension, due the first instant No. 443 19 20	
	Paid Thomas McKean, junior, adjutant-general, of the militia, one quarter's salary, due the first instant No. 444 150	
	Paid the Members of the Legislature their pay and mileage, their Officers, Printers, Attendants, &c. as follow, viz.	
	SENATE.	
	P. C. Lane, <i>speaker</i> No. 445 521	
	Jacob Blocher 446 387 80	
	John Borrowes 447 386	
	James Brady 448 404	
Carried forward	Carried forward	9,232 49
138,014 35		



**Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } C**  
*the thirtyeth of April, 1809, inclusive,*

1809.		Dolla. Cts.	
Brought forward		138,014	35
April 4, Paid		Brought forward	
	Michael Bright	No. 449	Dolla. C
	Thomas Campbell	450	8,232
	John Dorsey	451	330
	Ezra Doty	452	868
	William Erwin	453	373
	Matthias Gress	454	376
	Edward Heston	455	381
	Gabriel Hiester	456	376
	Nathaniel Irish	457	371
	Abner Lacock	458	366
	James Laird	459	387
		460	411
		461	382
		462	375
		463	360
		464	372
		465	373
		466	423
		467	390
		468	367
			367
			542
Carried forward		138,014	35
			15,728

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtyeth of April, 1809, inclusive.

1809.		Dolls. Cts.	
Brought forward		138,014	35
April 4, Paid			
Jonathan Roberts	No. 469		Dolls. Cts.
Amos Slaymaker	470		15,728 99
Jacob Sommer	471		370
James Stevenson	472		362 80
Daniel Udree	473		375 60
Isaac Wayne	474		414 80
Isaac Weaver	475		368 40
			369
			410

HOUSE OF REPRESENTATIVES.

James Engle, speaker	476	478 20
Andrew Albright	477	377 60
Abraham Bailey	478	367
James Banks	479	376
Samuel Bethel	480	362
William Binder	481	187 20
John Brown	482	412
Jacob Bucher	483	367 20
John G. Bull	484	369
John Colmery	485	410 40
Samuel Dale	486	421 80
Carried forward		22,527 99

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirtyeth of April, 1809, inclusive.*

Dolls. Cts.		1809.		Dolls. Cts.	
Brought forward		April 4, Paid		Brought forward	
138,014 35				No. 487	
				Isaac Darlington	
				Isaiah Davis	
				Jacob Dechert	
				Daniel W. Dingman	
				Benjamin Dorrance	
				Alexander Dysart	
				Frederick Evans	
				George Evans	
				Jenkin Evans	
				Henry Funk	
				James Gettys	
				Jacob Gisch	
				Elisha Gordon	
				Abraham Graffius	
				Isaac Griffin	
				Samuel Gross	
				James Hanna	
				James Herrington	
				John Hulme	
				Clement Humphreys	
Carried forward.				Carried forward	
138,014 35				30,092 39	

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirtyeth of April, 1809, inclusive.*

Dolls. Cts.		1809.		Dolls. Cts.	
Carried forward	138,014 35	April 4, Paid		Brought forward	45,304 79
				Christian Sheetz	No. 547 373 40
				Andrew Shulze	548 365
				James Sloan	549 413 80
				Charles Smith	550 360
				Isaac Smith	551 390
				Robert Smith	552 380
				Thomas Smith	553 375 60
				John M. Snowden	554 281 80
				Jacob Schneider	555 366 40
				George Spangler	556 364 80
				Joseph Starne	557 374 80
				John Starrett	558 380
				Christian Tarr	559 406
				Gasper Tarr	560 404 80
				John Thompson	561 373 20
				John Tod	562 368 80
				Samuel Trevor	563 403 80
				William Trimble	564 349
				James Wallace	565 366
				John Weber	566 372
Carried forward	138,014 35			Carried forward	52,773 99

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirtieth of April, 1809, inclusive.

Dolls. Cts.		1809.		Dolls. Cts.	
Brought forward	138,014	35		Brought forward	52,773 99
			April 4, Paid	John Weiser	No. 567 366
				John Weiss	568 372
				John Wilson	569 408 40
				Jacob Weygandt	570 377 20

Officers, Printers, &c.

SENATE.

Paid George Bryan, clerk, in full for his services					
the present session				No. 571	980
Paid ditto to enable him to settle with the several					
printers of the senate				No. 572	950
Paid ditto in addition to enable him to settle with					
the printers				No. 573	110
Paid ditto a balance due to him on account of con-					
tingent expenses				No. 574	4 15

Carried forward

438,014 35

Carried forward

56,341 74

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirtieth of April, 1809, inclusive.*

Dolls. Cts.		1809.		Dolls. Cts.	
Carried forward	138,014 35	April 4, Paid		No.	
		Brought forward			
		Christian Sheetz		547	373 40
		Andrew Shulze		548	365
		James Sloan		549	413 80
		Charles Smith		550	360
		Isaac Smith		551	390
		Robert Smith		552	380
		Thomas Smith		553	375 60
		John M. Snowden		554	281 80
		Jacob Schneider		555	366 40
		George Spangler		556	364 80
		Joseph Starne		557	374 80
		John Starrett		558	380
		Christian Tarr		559	406
		Gasper Tarr		560	404 80
		John Thompson		561	373 20
		John Tod		562	368 80
		Samuel Trevor		563	403 80
		William Trimble		564	349
		James Wallace		565	366
		John Weber		566	372
Carried forward	138,014 35	Carried forward			52,773 99

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirteenth of April, 1809, inclusive.

1809.		Dolls. Cts.	
Brought forward		138,014	35
April 4, Paid		Brought forward	
	John Weiser	No. 567	366
	John Weiss	568	372
	John Wilson	569	408 40
	Jacob Weygandt	570	377 20

Officers, Printers, &c.

SENATE.

Paid George Bryan, clerk, in full for his services			
the present session	No. 571	980	
Paid ditto to enable him to settle with the several			
printers of the senate	No. 572	950	
Paid ditto in addition to enable him to settle with			
the printers	No. 573	110	
Paid ditto a balance due to him on account of con-			
tingent expenses	No. 574	4 15	

Carried forward

138,014 35

Carried forward

56,341 74

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirtieth of April, 1809, inclusive.*

	Dolls. Cts.		Dolls. Cts.
Brought forward	138,014 35	Brought forward	56,341 74
		<i>April 4,</i> Paid George Bryan, clerk, to enable him to pay for transcribing bills, to pay printers of newspapers and others who have not yet furnished their accounts, and also to provide firewood for next session, he to be accountable No. 575	500
		Paid Stacy Potts, junior, assistant-clerk, in full for his services, the present session No. 576	830
		Paid William Wilson, sergeant-at-arms, for his services, the present session No. 577	390
		Paid ditto for extra services No. 578	60
		Paid Adam Hart, door-keeper, for his services, the present session No. 579	390
		Paid ditto to enable him to pay for the services of his assistant	60
		Paid William Dickson, printer of the journal in the English language, on account No. 580	1,000
		HOUSE OF REPRESENTATIVES.	
		Paid James Thackara, clerk, in full for his yearly salary and daily pay No. 581	993 20
Carried forward	138,014 35	Carried forward	60,564 94



Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the ibirictib of April, 1809, inclusive.

	Dolla. Cts.	1809.		Dolla. Cts.
Carried forward	138,014 35		Brought forward	60,564 9
		April 4,	Paid James Thackara, clerk, for an index to the journal of last session No. 582	125
			Paid ditto for a balance due him for sundries expended for the use of the house, the present session No. 583	800
			Paid ditto for the purpose of procuring stationary, &c. for the use of the next session of the legislature No. 584	300
			Paid John Passmore, assistant-clerk, for services rendered the present session No. 585	200 5
			Paid Isaac A. McIlmure assistant-clerk, for services No. 586	629 4
			Paid John Woodward, in full for transcribing the journal, &c. the present session No. 587	1,100
			Paid Joseph Fry, sergeant-at-arms, his yearly salary, daily pay and for extra services, the present session No. 589	750
Carried forward	138,014 35		Carried forward	515
				64,984 9

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirtyeth of April, 1809, inclusive.

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	138,014 35.		64,984 98.
April 4, Paid Henry Lechler, door-keeper, his yearly salary, his daily pay and for extra services the present session No. 590		Brought forward	465.
		Paid ditto to purchase fire-wood, &c. for the next house No. 591	200
		Baid Henry Gerloch, assistant door-keeper, for his daily pay and extra services, the present session No. 592	195
		Paid John Burnside, for printing bills, the present session No 593	228
		Paid ditto for extra printing, the present session No. 594	50
		Paid Frederick Wolbert, for his attendance as a witness before the house, in the case of the complaint against judge Rush No. 595	14 70
		Paid James Thackara, clerk, for the purpose of paying the several witnesses subpoenaed on the complaint against Paul Zantzinger, a justice of the peace in the borough of Lancaster No. 596	21
Carried forward	138,014 35.	Carried forward	66,218 68.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10* } Cr.  
*the thirtieth of April, 1809, inclusive.*

		1809.			
		Dolls.	Cts.		
Brought forward		138,014	35	Brought forward	66,218 68
April 5, Paid George Duffield, comptroller-general, one quarter's salary, due the first instant	No. 597				533 33
Paid Jonathan Walker, president of the fourth district of the court of common pleas, one quarter's salary, due the first instant	No. 598				400
Paid Samuel Brady, agreeably to an act passed the fourth instant	No. 599				40
Paid Walter Finney, an associate judge of Chester county, one quarter's salary, due the first instant	No. 600				35
Paid John Hudders, clerk in the receiver-general's office, one quarter's salary, due the first instant	No. 601				200
Paid John Colmery, for the use of George Blakely, agreeably to an act passed the fourth instant	No. 602				40
Paid John Irwin, an associate judge of Venango county, three quarters salary, ending the 31st of March last	No. 603 to 605				105
Carried forward		138,014	35	Carried forward	67,572 1

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of April, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	138,014 35		67,572 1
April 5, Paid John Light, brigade inspector of the first brigade of the fourth division of the militia, one quarter's salary, due the first instant			30
Paid James Patterson, brigade inspector of the second brigade of the fourth division of the militia, one quarter's salary, due the first instant			30
Paid Nathaniel B. Boileau, secretary of the commonwealth, one quarter's salary, due the first instant			500
Paid James Trimble, deputy-secretary of the commonwealth, one quarter's salary, due the first instant			300
Paid John Light, brigade inspector of the first brigade of the fourth division of the militia, for blank forms for the use of his brigade the present year and postage			40 24
6, Paid Robert Coleman, an associate judge of Lancaster county, eight quarters salary, ending the 31st of March last			280
Carried forward	138,014 35	Carried forward	68,752 25

Dr. { Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to }  
the 1st of April, 1809, inclusive.

Dolla. Cts.		1809.	Dolla.	
Brought forward	138,014 35		Brought forward	68,752
		April 6, Paid James Patterson, brigade inspector of the second brigade of the fourth division of the militia, for blank forms for the use of his brigade for the year 1809	No. 619	40
		Paid John M'Kissick, receiver-general, three months salary, due the first instant	No. 620	335
		Paid Anne M'Neale, three months pension, due the first instant	No. 621	45
		Paid Gustavus Stoy, for the storage of public arms and twelve packing boxes for arms, and packing the same	No. 622	45
		Paid William Michael, as a clerk in the register-general's office, salary from the third of January last, to the first instant	No. 623	200
		Paid Andrew Ellicott, as secretary of the land-office, for contingent expenses of said office, and three months rent, until the first instant	Nos. 624, 625	275
		Paid John M. Miller, clerk in the receiver-general's office, one quarter's salary, due the first instant	No. 626	250
Carried forward	138,014 35		Carried forward	69,948

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } - Cr.  
the thirtyeth of April, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	138,014 35		
April 6, Paid Jacob Rush, president of the first district of the court of common pleas, one quarter's salary, due the first instant			500
Paid Samuel Roberts, president of the fifth district of the court of common pleas, one quarter's salary, due the first instant			400
Paid Bird Wilson, president of the seventh district, one quarter's salary, due the first instant			400
Paid James Hamilton, president of the ninth district, one quarter's salary, due the first instant			400
Paid George Wallace, an associate judge of Alleg-heny county, one quarter's salary, due the first instant			35
Paid John Jones, an associate judge of Montgomery county, one quarter's salary, due the first instant			35
7, Paid William Tilghman, chief-justice of the supreme court, one quarter's salary, due the first instant			666 66
Carried forward	138,014 35	Carried forward	72,385 66

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to the thirtieth of April, 1809, inclusive.* } Cr.

		Dolla. Cts.	1809.	Dolla. Cts.
Brought forward		128,014	35	72,385 64
April 7,	Paid Thomas Smith, an associate judge of the supreme court, one quarter's salary, due the first instant			500
	Paid Jasper Yeates, an associate judge of the supreme court, one quarter's salary, due the first instant			500
	Paid John Crosby, an associate judge of Delaware county, one quarter's salary, due the first instant			35
	Paid John McKissick, receiver-general, for sundry disbursements in his office, and three months office rent until the first instant			83 91
8,	Paid Jasper Yeates one of the justices of the supreme court in Philadelphia			80
	Paid the house or representatives, the balance for printing the journal of the present session			1,311
30,	Paid Ruth Johnston, three months pension, due the first instant			40
Carried forward		128,014	11	74,935 54

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the ibirielb of April, 1809, inclusive.

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	138,014 35		Brought forward	74,935 55
		April 10, Paid Thomas Campbell, for the use of John Cave- nough, six months pension, due the first instant, per act of the 28th of March, 1808 No. 641		20
		Paid Thomas Campbell, for the use of Edward Ca- venough, six months annuity, due the first instant, per acts of the 28th of March, 1808, and 14th Fe- bruary, 1809 No. 642		20
		Paid James Lamberton, brigade inspector of the first brigade of the seventh division of the militia, one quarter's salary, due the first instant No. 643		45
		Paid William Berrett, for one standard for the use of the thirty second regiment of militia, deliver- ed Josiah Y. Shaw, brigade inspector in the second division No. 644		100
		Paid William Berrett, for a blue standard delivered Abraham Doebler, for the use of the first brigade of the sixth division of the militia, and carriage of the same to Harrisburgh No. 645		101
Carried forward	138,014 35		Carried forward	75,221 55



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirtieth of April, 1809, inclusive.*

1809.

Brought forward      *Dolls. Cts.*  
138,014 35

Brought forward

*Dolls. Cts.*  
75,221 55

*April* 10, Paid Abraham Doeblcr, brigade inspector of the first  
brigade sixth division of the militia, salary due to  
him to the first instant      Nos. 646, 647      52 50

Paid ditto for sundry disbursements for the use of his  
brigade      No. 648      4 58

11, Paid Jesse Fell, an associate judge of Luzerne coun-  
ty, one quarter's salary, due the first instant      No. 649      35

Paid Andrew Graff, an associate judge of Lancas-  
ter county, one quarter's salary, due the first in-  
stant      No. 650      35

12, Paid Richard Brodhead, an associate judge of Wayne  
county, one quarter's salary, due the first instant      No. 651      35

Paid ditto as brigade inspector in the eighth divi-  
sion of the militia, one quarter's salary, due the first  
instant      No. 652      37 50

Paid Frederick Kuhn, an associate judge of Lan-  
caster county, two quarters salary, ending the 31st  
of March last      Nos. 653, 654      70

Carried forward

138,014 35

Carried forward

75,491 13

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of April, 1809, inclusive.

Dolls. Cts.		1809.	Dolls. Cts.	
Brought forward	138,014	35	Brought forward	75,491 13
		April 12, Paid James Trimble, for sundry disbursements for the contingent expenses of the executive department, to the first instant, per act of the 28th of March, 1808	No. 655 283 71	
		Paid George Armstrong, brigade inspector of the first brigade of the thirteenth division of the militia, for fourteen drums and twenty-five fives for the use of his brigade	No. 656 146 84	
		13, Paid Richard M. Crain, for sundry disbursements for the contingent expenses of the register-general's office, and three months office rent, until the first instant	No. 657 66 4	
		Paid Simon Snyder, as governor of the commonwealth, his salary, from the twentieth of December, 1808, until the first of January last	No. 658 162 98	
		Paid ditto three months salary, due the first instant	No. 659 1,333 33	

Carried forward 138,014 35

Carried forward

77,483 3

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to the*  
*the thirteenth of April, 1809, inclusive.*

		1809.		Dolls. Cts.	
Brought forward				138,014	35
Brought forward				77,483	
April 15,	Paid the late proprietaries, for a certificate, No. 80, issued in their favor for one hundred and fourteen acres and sixteen perches of land, in Luzerne county, released to the commonwealth, in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800			No. 660	344
	Paid John Moore, as clerk in the register-general's office, salary from the first to the seventh instant, inclusive			No. 661	8
17,	Paid William Mc'Dermott, the sum granted to him on loan, per act of assembly of the 24th day of March last			No. 662	3,000
18,	Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first of October, 1808			No. 663	35
	Paid Robert Orr, an associate judge of Armstrong county, two quarters salary, ending the 31st of March last			Nos. 664, 665	70
Carried forward				138,014	35
Carried forward				20,910	

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } C*  
*the thirtieth of April, 1809, inclusive.*

		1809.			
		Dolla.	Cts.		
Carried forward		138,014	35	Brought forward	
April 18,	Paid William Findlay, for contingent expenses of the treasury-office for one year, and one year's rent of the said office, until the first instant, per act of the 28th of March, 1808				
	No. 666				345
19,	Paid John McDowell, an associate judge of Alleg-heny county, one quarter's salary, due the first in-stant				35
	No. 667				35
	Paid John Brink, an associate judge of Wayne coun-ty, one quarter's salary, due the first instant				55
	No. 668				55
	Paid William Henry, an associate judge of North-ampton county, one quarter's salary, due the first instant				35
	No. 669				35
	Paid George Armstrong, brigade inspector of the first brigade of the thirteenth division of the militia, for nine drums for the use of his brigade furnished by John Schryock				72
	No. 670				72
21,	Paid John Carson, an associate judge of Dauphin county, one quarter's salary, due the first instant				35
	No. 671				35
				Carried forward	
		138,014	35		81,49

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of April, 1809, inclusive.*

		1809.	
		Dolla. Cts.	Dolla. Cts.
Brought forward		138,014 35	81,498 9
April 22,	Paid James Trimble, for sundry disbursements for the contingent expenses of the executive department from the first to the 19th instant No. 672		242 75
24,	Paid William G. Elder, an associate judge of Somerset county, two quarters salary, ending the 31st of March last Nos. 673, 674		70
	Paid Abraham Hildebrand, an associate judge of Cambria county, one quarter's salary, due the first instant No. 675		35
	Paid William Brown, an associate judge of Mifflin county, one quarter's salary, due the first instant No. 676		35
	Paid Alexander Wright, an associate judge of Mercer county, one quarter's salary, due the first instant No. 677		35
	Paid John Gloninger, an associate judge of Dauphin county, two quarters salary, ending the 31st of March last Nos. 678, 679		70
Carried forward		138,014 35	81,985 84

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the month of April, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	138,014 35		81,985 84
April 24, Paid Joseph B. McKean, for an unfunded debt certificate, issued in his favor for fees as counsel in behalf of the commonwealth			No. 680 2,350
26, Paid Hugh Glasgow, an associate judge of York county, four quarters salary, ending the 31st of March last			No. 681 to 684 140
Paid William Berrett, for a blue standard furnished by him for the use of the forty-eighth regiment of militia			No. 685 100
28, Paid James Bovard, an associate judge of Butler county, one quarter's salary, due the first of July, 1808			No. 686 35
Paid George Duffield, for disbursements in the comptroller-general's office, until the first instant			No. 687 11 92
Paid John Fee, brigade inspector of the second brigade of the eleventh division of the militia, one quarter's salary, due the first instant			No. 688 37 50
Carried forward	138,014 35	Carried forward	84,560 26

**Dr. { Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr.**  
*the thirtyeth of April, 1809, inclusive.*

		Dolla. Ct. s.	1809.	Dolla. Cts.
Brought forward		138,014 35		\$4,560 26
April 28,	Paid William Steel, as an associate judge of the court of common pleas of Huntingdon county, three quarters salary, ending the 31st of December, 1808			No. 689 to 691 105
	Paid Henry Fraley, for drums delivered John Light, brigade inspector of the first brigade of the fourth division of the militia			No. 692 106
29,	Paid general Michael Bright, on account, out of the fund appropriated by an act of the general assembly, passed the fourth instant, towards defraying the contingent expenses that have arisen, or may arise, in the execution of any authority or power given to, or enjoined on the governor, by the laws of the commonwealth			No. 693 1,000
	Paid Elizabeth Sergeant and Esther Waters, executrixes, of the estate of David Rittenhouse, esquire, deceased under the authority, and out of the fund appropriated by an act of the general assembly, passed the fourth instant, concerning the prize sloop <i>Active</i>			No. 694 14,378 75
Carried forward		158,014 35		400,130 75

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtyeth of April, 1809, inclusive.

	Dolla. Cts.	1809.		Dolla. Cts.
Brought forward	138,014	35	Brought forward	100,150
			April 29, Paid John Halsted, clerk in the comptroller-general's office, one quarter's salary, due the first instant	
			No. 693	225
			Balance	37,639
				34

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138,014 35

138,014 26



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } C*  
*the thirty first of May, 1809, inclusive.*

1809.		Dolla. Cts.		Dolla. Cts.				
May 1,	Balance from last month	37,639	34	May 1,	Paid Rees Hill, brigade inspector of the second brigade of the fourteenth division of the militia, one quarter's salary, due the first of January last	No. 696	30	
	Received of Andrew Bayard, late auctioneer, on account of auction duties	1,079	51	2,	Paid William C'ark, brigade inspector of the first brigade of the sixteenth division of the militia, for blank forms for the use of his brigade for the year 1809	No. 697	70	
	Received of Samuel Israel, late auctioneer, on account of auction duties	65	79		Paid Mary Ross, administratrix of Elizabeth Ross, one year seven months and twelve days pension, due the second of May, 1808, inclusive, per decree of the orphans' court of Cumberland county	No. 698	64	
	Received of John Herster, treasurer of the Easton Delaware bridge company in part reimbursement of the loan of ten thousand dollars received from the commonwealth, in pursuance of an act of the general assembly passed the 10th of March. 18 6	2,000			Paid George Duffield, late comptroller-general, one month and one day's salary, including the first instant	No. 699	183	
4,	Received of James Wilson, treasurer of Greene county, on account of tavern licences	75			Paid John Halsted, as clerk in the comptroller-general's office, for one month and one day's salary, ending the first instant	No. 700	73	
		Carried forward		40,859 64		Carried forward		421

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty first of May, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
May 8, Received of John M'Kis- sick, receiver general, monies received by him for lands in the old and new purchase \$ 2,219 32 For office fees 162 99	Brought forward 40,859 64	May 2, Paid Michael Whitmore, for the use of the commis- sioners of Franklin county, in pursuance of an act of the general assembly passed the 28th of March, 1808, for improving the state road, between the Franklin county line and Strasburg No. 701	Brought forward 421 53
13, Received of John Connelly, late auctioneer, on account of auction duties 654 64	2,382 31	3, Paid Boyd Mercer an associate judge of Washington county, one quarter's salary, due the first of April last No. 702	400
Received of David Law- son, late treasurer of Armstrong county, on ac- count of tavern licences 35	654 64	Paid James Seals and Samuel Israel, in full for re- pairing public arms in the county of Greene, per act of the fourth of April last No. 703	35
15, Received of Samuel Coch- ran, late surveyor-gene- ral, on account of office fees 1,389 87	35	Paid James Allison, an associate judge of Wash- ington county, two quarters salary, ending the 31st of March last No. 704	40
Carried forward 45,321 46	1,389 87	Paid William Ross, brigade inspector of the second brigade of the ninth division of the militia, one quarter's salary, due the first of April last No. 705	70
		4, Paid James Findlay, an associate judge of Fayette county, four quarters salary, ending the 31st of March last No. 706	52 50
			140
		Carried forward	1,159 5

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first 10* }  
*the thirty first of May, 1809, inclusive.*

1809.		Dolls. Cts.	1809.		Dolls.
Brought forward		45,321 46	Brought forward		1,159 70
May 15,	Received of John M'Kissick, late receiver general, monies received by him on the following accounts, viz.		May 4,	Paid John Agnew, an associate judge of Adams county, two quarters salary, ending the 31st of March last	No. 707 30
	For lands in the old purchase \$ 284 22			Paid William McClelland, brigade inspector of the second brigade fifth division of the militia, one quarter's salary, due the first of April last	No. 708 60
	And for office fees 46 65	330 87		Paid Rees Hill, for twelve drums, not painted, procured by him for the use of the second brigade of the fourteenth division of the militia -	No. 709 60
18,	Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	100		Paid William Michael, as a clerk in the late office of register-general, from the first of April last to the first instant, inclusive	No. 710 68
	Received of Andrew Porter, surveyor-general, on account of office fees	294 30		Paid Robert McElwee, clerk in the comptroller-general's office, one quarter's salary, due the first of April last	No. 711 225
				Paid ditto, as clerk in ditto, from the first of April last until the first instant, inclusive	No. 712 73
			5,	Paid James McDowell, an associate judge of Franklin county, three quarters salary, ending the 31st of March last	No. 713 105
Carried forward		46,046 63	Carried forward		1,791

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first, to } Cr.  
the thirty first of May, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
May 24, Received of Alexander Russell, formerly brigade inspector of York county, on account of militia fines	Carried forward 46,046 63	May 6, Paid George Armstrong, brigade inspector of the first brigade of the thirteenth division of the militia, one quarter's salary, due the first of April last	Brought forward 1,791 12
25, Received of John Cochran, secretary of the land-office, on account of office fees	1,531 49	8, Paid Samuel Harris, an associate judge of Lycoming county, two quarters salary, ending the 31st of March last	No. 714 37 30
Received of John Cochran, secretary of the land-office, on account of office fees	312 12	Paid the commissioners of Mercer county, for improving that part of the road from the town of Mercer to the town of Meadville, in Crawford county, which lies within Mercer county, per act of the 10th of April 1807	No. 715 70
30, Received of John Tomlinson, late auctioneer, on account of auction duties	124 55	Paid William Steel, as an associate judge of Huntingdon county, salary from the first of January, to the 28th of February, 1809 inclusive	No. 716 354 30
	7 28	Paid John Steel, for the carriage of public arms from Columbia, in Lancaster county, to Lewistown, in Mifflin county, for the use of the first brigade of the tenth division of the militia	No. 718 22 54
Carried forward	48,022 7	Carried forward	9
			2,278 50

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr*  
*the thirty first of May, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	48,022 7	Brought forward	
May 31, Received of the commis- sioners of Luzerne coun- ty, in pursuance of an act passed on the 16th of March last	1,000	May 9, Paid John Creigh, an associate udge of Cumberland county, one quarter's salary, due the first of April last	No. 719 35
Received for lands and land-office fees from the 11th instant, to this day, inclusive, viz.		Paid Hainah Crawford, one year's pension, per de- cree of the orphans' court of Fayette county, due the 26th of March last	No. 720 120
For land	\$ 4,122 47	Paid Alexander Brown, an associate judge of Mercer county, one quarter's salary, due the first of April last	No. 721 35
For land-office fees	613 50	10, Paid Richard Riley, an associate judge of Delaware county, four quarters salary, ending the 31st of March last	No. 722 140
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	4,735 97	12, Paid Richard M. Crain, as late register-general, sa- lary due to him from the first of April last to the first instant, inclusive	No. 723 114 8
		Paid Robert Beatty, brigade inspector of the second brigade of the eighth division of the militia, salary, due the first of April last	No. 724 92 7
		Paid ditto for blank forms for the use of his bri- gade for the years 1808 and 1809	No. 725 60
Carried forward	\$5,481 97	Carried forward	\$,876

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of May, 1809, inclusive.*

	Dolls.	Cts.		Dolls.	Cts.
Brought forward	55,481	97	Brought forward	2,876	6
			May 12, Paid James Calhoun, six months pension, per act of the 29th of March, 1802	No. 726	20
			Paid James Barr, an associate judge of Armstrong county, one quarter's salary, due the first of April last	No. 727	35
			Paid James Davidson, an associate judge of Lycoming county, two quarters salary, ending the 31st of December last	No. 728	70
			Paid Timothy Matlack, for furnishing copies of the laws of the last session to the secretary of the commonwealth, enrolling the same, furnishing certain exemplifications, office rent, &c.	No. 729	307
			13, Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first of April last	No. 730	35
			Paid George Roberts, an associate judge of Cambria county, two quarters salary, ending the 31st of March last	No. 731	70
Carried forward	55,481	97	Carried forward	3,413	36

1. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of May, 1809, inclusive.*

		Dolla. Cts.	1809.	Dolla. Cts.
Brought forward		55,481	97	
May 13,	Paid John Flenniken, an associate judge of Greene county, one quarter's salary, due the first of April last			3,413 34
	No. 732			33
	Paid Robert Beatty, brigade inspector of the second brigade of the fifteenth division of the militia, for sundry disbursements made by him for the use of his brigade to the 16th of April last			42 46
15,	Paid James Dunlap, brigade inspector of the first brigade of the fourteenth division of the militia, three quarters salary, ending the 30th of March last			90
	No. 734			
	Paid ditto for sundry disbursements and blank forms for the use of his brigade for the year 1809			65
	Nos. 735, 736			
	Paid Samuel Cochran, late surveyor general, three months and four days salary, ending with the fourth of April last			348 14
	No. 737			
	Paid ditto for sundry disbursements for the contingent expenses and rent to the third of April last			236 30
	No. 738			
Carried forward		55,481	97	4,230 14
				Carried forward

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of May, 1809, inclusive.*

		Dolls. Cts.	1809.	Dolls. Cts.
Brought forward		55,481	97	
May 15, Paid Samuel Clendenin, as a clerk in the surveyor-general's office, three months and six days salary, ending the sixth of April last No. 739				
Paid William Cochran, as a clerk in the surveyor-general's office, three months salary, due the first of April last No. 740				266 67
Paid Samuel Cunningham, as a clerk in the surveyor-general's office, six days salary ending the sixth of April last No. 741				133 33
Paid George Ross, an associate judge of Armstrong county, one quarter's salary, due the first of April last No. 742				10 56
Paid John Hudders, as a clerk in the late receiver-general's office, one month and ten days salary, to the 10th instant, inclusive No. 743				35
Paid John M-Kissick, late receiver-general, one month and ten days salary, to the 10th instant, inclusive No. 744				83 33
				148 14
Carried forward		55,481	97	
Carried forward				4,907 17

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Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } C  
*the thirty first of May, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	55,481	97	Brought forward	4,907
			May 15, Paid Richard M. Crain, for sundry disbursements made by him as register-general, between the first of April and first of May, 1809, inclusive	No. 745 15
			Paid John Moore, an associate judge of Bedford county, one year's salary, ending the 31st of March last	No. 746 140
			Paid John Oliver, an associate judge of Mifflin county, two quarters salary, ending the 31st of March last	No. 747 70
			Paid Joseph Edmiston, an associate judge of Mifflin county, one quarter's salary, due the first of April last	No. 748 35
			16, Paid John M'Kissick, late receiver-general, for sundry disbursements made by him for the use of his office	No. 749 27
			Paid Mary Neese, one year's pension, due the third instant	No. 750 50
			Paid John M. Miller, as a clerk in the late receiver-general's office, one month and ten days salary, to the 10th instant, inclusive	No. 751 94
Carried forward	55,481	97	Carried forward	5,354

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of May, 1809, inclusive.*

		1809.			
		Dolls.	Cts.		
Brought forward		55,481	97	Brought forward	
<i>May 16, Paid John Cochran, as an associate judge of Erie county, two quarters salary, ending the 31st of December, 1808</i>					
					70
<i>Paid John M'Dowell, the sum granted to him per act of the 22d of March last, entitled "An act granting an annuity to John M'Dowell"</i>					40
<i>Paid George Armstrong, brigade inspector of the first brigade thirteenth division of the militia, for furnishing blank forms for the use of his brigade for the year 1809, and postage on public letters</i>					
					61 56
<i>17, Paid John Spayd, president of the third district of the court of common pleas, two quarters salary, ending the 31st of March last</i>					800
<i>Paid John Macpherson, an associate judge of Northumberland county, two quarters salary, ending the 31st of March last</i>					70
<i>Paid Eve Withington, two quarters pension, ending the 31st of March last</i>					120
Carried forward		55,481	97	Carried forward	
					6,495 80



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirty first of May, 1809, inclusive.*

	1809.		
Brought forward	Dolls. Cts. 55,481 97		Dolls. Cts. 7,076 76
May 22, Paid James Smith, an associate judge of Indiana county, three quarters salary, ending the 31st of March last		Brought forward	
		No. 765	108
Paid John Vincent, an associate judge of Erie county, two quarters salary, ending the 31st of March last			
		No. 766	70
Paid John Fleming, an associate judge of Lycoming county, one quarter's salary, due the first of January last		No. 767	33
23, Paid Daniel Sharp, brigade inspector of the first brigade of the first division of the militia, two quarters salary, ending the 31st of March last		No. 768	90
Paid ditto for sundry disbursements for the use of his brigade and blank forms for the same for the year 1809		No. 769	75 32
24, Paid James Dunlap, brigade inspector of the first brigade of the fourteenth division of the militia, for twenty drums and twenty fises, procured by him for the use of his brigade		No. 770	200
Carried forward	55,481 97	Carried forward	7,653 7

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of May, 1809, inclusive.

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	55,481	97	Brought forward	7,652 7
May 24, Paid John Flenniken, an associate judge of Greene county, one quarter's salary, due the first of January last			No. 771	35
25, Paid John Cochran, secretary of the land-office, for disbursements in his office between the fifth of April and the 23d instant			No. 772	65 17
26, Paid Peter Small, for six drums furnished for the use of the first brigade of the fifth division of the militia			No. 773	54
			No. 774	70
27, Paid James Potter, an associate judge of Centre county, two quarters salary, ending the 31st of March last			No. 775	40
27, Paid John Stewart, for the use of Robert Varner, the sum granted per act of the fourth of April, 1809			No. 776	35
29, Paid William Gilliland, an associate judge of Adams county, one quarter's salary, due the first of April last				
Carried forward	55,481	97	Carried forward	7,951 24

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of May, 1809, inclusive.

Dolls. Cts.		1809.	Doll's. Cts.	
Brought forward			Brought forward	
55,481 97			55,481 97	
		May 31, Paid Matthias Hollenback, an associate judge of Luzerne county, two quarters salary, ending the 31st of March last		
			No. 777	
			70	
		Paid Hugh H. Brackenridge, one of the judges of the supreme court, for expenses in attending the court in Philadelphia, between the second of March and the eighth of April, 1809		
			No. 778	
			152	
			47,308 73	
		Balance	47,308 73	
			100	
			55,481 97	

*Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Ca.  
the thirtyeth of June, 1809, inclusive.*

1809.		Dolls. Cts.
June 2,	Paid Elizabeth Baxter, three months pension, due the first instant, per decree of the orphans' court of Bucks county	No. 779 112 50
	Paid William Berrett, for three stands of colours furnished by him for the use of the first division of the militia	No. 780 322
	Paid James Harriott, for forty-two fives furnished by him for the use of the first brigade sixteenth division of the militia	No. 781 42
3,	Paid John Young, president of the tenth district of the court of common pleas, one quarter's salary, due the first of April last	No. 782 400
5,	Paid William Bell, an associate judge of Erie county, four quarters salary, ending the 31st of March last	No. 783 140
	Paid John Barber, an associate judge of Centre county, two quarters salary, ending the 31st of March last	No. 784 70
6,	Paid John Young, brigade inspector of the first brigade of the eleventh division of the militia, one quarter's salary, due the first of April last	No. 785 52 50
Carried forward		1,139

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirtieth of June, 1809, inclusive.*

1809.	Dolls. Cts.
Brought forward	50,072 2
June 15, Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	170
29, Received of Robert Allison, late treasurer of Huntingdon county, on account of tavern licences	41 80
30, Received of Alexander M'Caraher, auctioneer, on account of auction duties	65 7
Received for lands and land-office fees from the first instant, to this day, inclusive, viz. For lands \$ 11,584 13 For land-office fees 1,312	12,896 13
Carried forward	63,245 2

1809.	Dolls. Cts.
June 6, Paid William Tilghman, for a certificate with interest thereon, issued in his favor and redeemed under the acts of the fourth of April, 1799, and 15th March, 1800	573 67
12, Paid John Irwin, an associate judge of Westmoreland county, four quarters salary, ending the 31st of March last	140
14, Paid David Stewart, an associate judge of Huntingdon county, one quarter's salary, due the first of April last	35
Paid Peter Rhoads, an associate judge of Northampton county, four quarters salary, ending the 31st of March last	140
Paid John Cooper, an associate judge of Northampton county, three quarters salary, ending the 31st of March last	105
17, Paid Clarana M'Cauley, two years pension, due the 15th of May last, per decree of the orphans' court of Franklin county	72
Carried forward	2,204 67



Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtyeth of June, 1809, inclusive.

1809.	Dolls. <sup>s</sup> Cts.	1809.	Dolls. Cts.
June 30, Brought forward	63,245 2	June 19, Paid the executors of the estate of Edward Cook, deceased, late an associate judge of Fayette county, salary due at the time of his decease	2,204 67
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	1,587 51	23, Paid John Fleming, an associate judge of Lycoming county, one quarter's salary, due the first of April last	162 55
		35. Paid Peter Shoemaker, brigade inspector of the second brigade of the sixth division of the militia, two quarters salary, ending the 31st of March last	35.
		No. 794	105
		Paid ditto for blank forms for the use of his brigade for the year 1809. Seven regiments	70
		No. 795	
		24, Paid John Bioren, for three thousand copies of the laws of last session of the legislature, furnished agreeably to the act of the 24th of March last	
		No. 796	1,378
		28, Paid the commissioners of Westmoreland county, so much expended by them, under the act of the 28th of March, 1808, for improving certain roads in said county	1,600
		No. 797	
Carried forward	64,832 53	Carried forward	3,555 22

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of June, 1809, inclusive.

	1809.		
<i>Dolls. Cts.</i>		<i>Dolls. Cts.</i>	
Brought forward	64,832 53	Brought forward	5,555 22
		Balance	59,277 31

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of July, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
July 1, Balance from last month	59,277 31	July 1, Paid John Flenniken, an associate judge of Greene county, one quarter's salary, due this day	No. 798 35
4, Received of Andrew Porter, surveyor-general, on account of office fees	124 25	Paid William Henry, an associate judge of Northampton county, one quarter's salary, due this day	No. 799 35.
5, Received of Peter Kuhn, auctioneer, on account of auction duties	458 80	Paid Henry Miller, for binding twenty-one copies of the minutes of the convention which framed the present constitution of the commonwealth, in pursuance of a resolution of the 23d of February last	No. 800 29 40
6, Received of Thomas Passmore, auctioneer, on account of auction duties	985 31	Paid John Joseph Henry, president of the second district of the court of common pleas, one quarter's salary, due this day	No. 801 400
8, Received of John Cochran, secretary of the land office, on account of office fees	78 12	Paid John Doersh, for binding eighteen copies of the minutes of the convention which formed the present constitution of the commonwealth, in pursuance of a resolution of the 23d of February last	No. 802 25 20
10, Received of Silas E. Weir, auctioneer, on account of auction duties	3,599 70	Paid Jacob Rush, president of the first district of the court of common pleas, one quarter's salary, due this day	No. 803 500
11, Received of Henry Beader, late treasurer of Dauphin county, on account of tavern licences	500	Paid Samuel Roberts, president of the fifth district, one quarter's salary, due this day.	No. 804 400
Carried forward	65,023 49	Carried forward	1,424 60

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of July, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolla. Cts.
July 13 Brought forward	65,023 49	Brought forward	1,424 60
Received of John M. Snowden, treasurer of Westmoreland county, on account of tavern licences	385	July 1, Paid Bird Wilson, president of the seventh district of the court of common pleas, one quarter's salary, due the first instant No. 805	400
Received a credit on the books of the Farmers and Mechanics bank, for a dividend on the stock of the state in said bank, due the first instant	1,687 50	Paid James Hamilton, president of the ninth district of the court of common pleas, one quarter's salary, due the first instant No. 806	400
22, Received of Frederick Montmollin, auctioneer, on account of auction duties	3,582 7	Paid George Wallace, an associate judge of Allegheny county, one quarter's salary, due this day No. 807	35
Received of John Humes, auctioneer, (in a credit on the books of the bank of Pennsylvania, the 30th ultimo) on account of auction duties	1,207 51	Paid John Jones, an associate judge of Montgomery county, one quarter's salary, due this day No. 808	35
Carried forward	71,885 57	3, Paid William Findlay, treasurer of the commonwealth, one quarter's salary, due the first instant No. 809	333 33
		Paid Samuel White, for the use of John Malony, six months annuity, due the first instant, per act of the 28th of March 1808 No. 810	20
		Paid Jonathan Heister, as clerk in the auditor-general's office, twenty-six days salary, due the first instant No. 811	28 83
		Carried forward	2,676 82

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of July, 1809, inclusive.

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	71,885 57	Brought forward	2,676 82
July 24, Received of John Reitzell, late sheriff of Lancaster county, on account of court fines	155 86	July 3, Paid George Bryan, auditor-general, one month and twenty-nine days salary, due the first instant	No. 812 218 52
28, Received of John Humes, auctioneer, (in a credit on the books of the bank of Pennsylvania, the 10th instant) on account of auc-	161 46	Paid John Light, brigade inspector of the first bri-	No. 813 30
tion duties		gade of the fourth division of the militia, one quar-	
Received of the United States six months inter-	642 32	ter's salary, due the first instant	30
est on stock		Paid James Patterson, brigade inspector of the se-	30
Received of James McGla-		cond brigade of the fourth division of the militia,	
thery, auctioneer, on ac-	129 87	one quarter's salary, due the first instant	No. 814 30
count of auction duties		Paid Andrew Porter, surveyor-general, two months and twenty-six days salary, due the first instant	No. 815 318 52
		4, Paid Thomas Whiteside, clerk in the surveyor-gene-	
		ral's office, his salary from the fifth of April to the	
		30th of June last, inclusive	No. 816 143 33
		Paid Edward V. James, clerk in the surveyor-gene-	
		ral's office, his salary from the seventh of April to	
		the 30th of June last, inclusive	No. 817 128 33
Carried forward	72,975 8	Carried forward	3,645 52

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of July, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
July 31, Received of the bank of Pennsylvania, six months dividend on the stock of the state in said bank, to the first instant	72,975 8	Brought forward	3,545 52
Received for lands and land-office fees from the first instant, to this day, inclusive, viz.	40,000	July 4, Paid Henry Antes, clerk in the surveyor-general's office, his salary from the 12th of April to the 30th of June last, inclusive	120 70
For lands \$ 17,716 38		Paid James McCullough, clerk in the surveyor-general's office. his salary from the first of April to the 30th of June last	217 22
For land-office fees	1,885 35	Paid Andrew Porter, surveyor-general, for disbursements in his office, from the 11th of May to the first instant	62 38
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	19,601 73	5, Paid Robert Beatty, brigade inspector of the second brigade of the fifteenth division of the militia, one quarter's salary, due the first instant	22 50
		Paid Richard M. Crain, clerk to the secretary of the land-office, one month and twenty-six days salary, due the first instant	140
		Paid Samuel Cunningham, as clerk to the secretary of the land-office, one month and sixteen days salary, due first instant	51 11
Carried forward	132,871 81	Carried forward	4,159 43

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of July, 1809, inclusive.*

1809.		Dolls. Cts.	Dolls. Cts.
Brought forward		132,871 84	4,159 43
July 5, Paid John M. Miller, as a clerk to the secretary of the land-office, one month and twenty days salary, to the first instant No. 825			141 11
5, Paid William Brown, an associate judge of Mifflin county, one quarter's salary, due the first instant No. 826			35
Paid Ephraim Morton, as a clerk to the secretary of the land-office, one quarter's salary, due the first instant No. 827			183 25
Paid Anne McNeale, one quarter's pension, due the first instant No. 828			45
Paid John Cochran, secretary of the land-office, two months and twenty-six days salary, to the first instant No. 829			318 52
Paid John Fleming, an associate judge of Lycoming county, one quarter's salary, due the first instant No. 830			35
Paid David Ryner, as a clerk to the secretary of the land-office, one quarter's salary, due the first instant No. 831			147 77
Carried forward	132,871 84	Carried forward	5,038 8

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Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of July, 1809, inclusive.*

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	132,871 81		
July 6, Paid Alexander Wilson, clerk in the state-treasurer's office, one quarter's salary, due the first instant		Brought forward	5,035 8
		No. 832	
7, Paid John Cochran, secretary of the land-office, for disbursements in his office, between the 22d of May and the first instant		No. 833	266 66
Paid William Scott, an associate judge of Adams county, one quarter's salary, due the first instant		No. 834	80 14
Paid James Trimble, deputy-secretary of the commonwealth, one quarter's salary, due the first instant		No. 835	35
Paid Thomas M'Kean, junior, adjutant-general of the militia, one quarter's salary, due the first instant		No. 836	300
Paid Catharine Alexander, one quarter's pension, due the first instant		No. 837	150
Paid William Michael, as a clerk in the auditor-general's office, one month and twenty-nine days salary, to the first instant		No. 838	19 20
			131 11
Carried forward	132,871 81	Carried forward	6,017 19



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of July, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	132,871 81		Brought forward	6,017 19
		July 7, Paid Andrew Ellicott, late secretary of the land-office, for disbursements in said office, from the first to the fourth of April last, inclusive	No. 839	7 27
		Paid Nathaniel B. Boileau, for the use of James Oglevia, six months annuity, to the first instant, per act of the 26th of January, 1807	No. 840	25
		Paid Robert E. Jones, for the use of Michael Lynch, the sum granted to said Lynch, per act of the fourth of April, 1809, and six months annuity to the first instant, per said act	No. 841	60
		Paid Nathaniel B. Boileau, secretary of the commonwealth, one quarter's salary, due the first instant	No. 842	500
		8, Paid Ruth Johnston, one quarter's pension, due the first instant	No. 843	40
		10, Paid William Duncan, inspector of the second brigade of the first division of the militia, two quarters salary, ending the 30th of June last	Nos. 844, 845	90
Carried forward	132,871 81		Carried forward	6,789 46

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of July, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	132,871 81		Brought forward	6,739 46
		July 10,	Paid Zachariah Poulson, junior, for thirty-nine copies of the minutes of the convention which formed the present constitution of Pennsylvania, and expenses of carriage, &c. per act of last session of the legislature No. 846	119 25
			Paid Samuel Kinkead, for the use of John Craig, six months annuity, to the first instant, granted per act of the fourth of April last No. 847	20
			Paid David Jackson, six months pension, due the first instant, per act of the second of April, 1804 No. 848	6
		11,	Paid John Creigh, an associate judge of Cumberland county, one quarter's salary, due the first instant No. 849	35
			Paid James Cowden, an associate judge of Dauphin county, two quarters salary, ending the 31st of March last No. 850	70
			Paid William Ross, brigade inspector of the second brigade of the ninth division of the militia, one quarter's salary, due the first instant No. 851	52 50
Carried forward	132,871 81		Carried forward	7,042 21

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of July, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	132,871 81		
July 12, Paid Henry Bader, for the use of the trustees of the Harrisburg academy, the sum granted by an act of the general assembly, passed the fourth of April, 1809			Brought forward 7,042 21
13, Paid John Young, president of the tenth district of the court of common pleas, one quarter's salary, due the first instant			No. 852 1,000
14, Paid James Trimble, deputy-secretary of the commonwealth, for disbursements in the secretary's office, between the 10th of April and the first instant			No. 853 400
			No. 854 572 76
Paid Simon Snyder, governor of the commonwealth, one quarter's salary, due the first instant			No. 855 1,333 33
17, Paid John Ryan, six months pension, due the first instant, per act of the 28th of March, 1806			No. 856 20
18, Paid Jonathan Walker, president of the fourth district of the court of common pleas, one quarter's salary, due the first instant			No. 857 400
Carried forward	132,871 81		
		Carried forward	10,768 30

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of July, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	132,871 81		Brought forward	10,768 30
			June 18, Paid Joseph Edmiston, an associate judge of Mifflin county, one quarter's salary, due the first instant	No. 858 35
			Paid William Patterson, one of the representatives of William Patterson, deceased, his proportion of certificates, No. 12, 14, and 45, issued for lands in Luzerne county, released to the commonwealth in pursuance of the acts of the fourth of April, 1799, and 15th of March, 1800	No. 859 37 48
			Paid John Brink, an associate judge of Wayne county, one quarter's salary, due the first instant	No. 860 35
			19, Paid William Tilghman, chief justice of the supreme court, one quarter's salary, due the first instant	No. 861 666 66
			Paid Jasper Yeates, one of the associate judges of the supreme court, one quarter's salary, due the first instant	No. 862 500
Carried forward	132,871 81		Carried forward	12,042 44

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty-first of July, 1809, inclusive.

	1809.	Dolls. Cts.		Dolls. Cts.
Brought forward		132,871 81	Brought forward	12,042 44
			July 19, Paid Andrew Graff, an associate judge of Lancaster county, one quarter's salary, due the first instant No. 863	35
			20, Paid Thomas Cooper, president of the eighth district of the court of common pleas, one quarter's salary, due the first instant No. 864	400
			Paid Jasper Yeates, one of the judges of the supreme court, for attending circuit courts in several of the counties, and the supreme court in Philadelphia from the 28th of May to the 17th instant, inclusive No. 865	204
			Paid George Armstrong, brigade inspector of the first brigade of the thirteenth division of the militia, one quarter's salary, due the first instant No. 866	37 50
			Paid Hugh H. Brackenridge, one of the associate judges of the supreme court, one quarter's salary, due the first instant No. 867	500
			Paid Hugh H. Brackenridge, for circuit expenses in attending the courts in April and May last No. 868	112
Carried forward		132,871 81	Carried forward	13,330 94

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Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty first of July, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	132,871 81		
July 20, Paid Thomas McKean, junior, adjutant-general of the militia, for postage paid by him on letters on public service No. 869			Brought forward 13,330 94
21, Paid Alexander Brown, an associate judge of Mercer county, one quarter's salary, due the first instant No. 870			16 59
Paid the commissioners of Westmoreland county, per act of the 11th of April, 1807, for improving so much of the road from Beaula to Pittsburg, as lies within Westmoreland county No. 871			35
24, Paid John Asimead, master-warden of the port of Philadelphia, for pay and disbursements between the 28th of April and the first instant No. 872			300
Paid James Trimble, deputy-secretary of the commonwealth, for expenses incurred by him in procuring boxes and packing the laws of the last session of the legislature, for the purpose of transmitting them to the several counties No. 873			249 64
			122 17
Carried forward	132,871 81		
		Carried forward	14,054 34

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10* } Cr.  
*the thirty-first of July, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	132,871 81		14,054 34
July 25, Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first instant		Brought forward No. 874	35
		Paid William Clarke, an associate judge of Crawford county, one quarter's salary, due the first instant No. 875	35
		Paid ditto as brigade inspector of the first brigade of the sixteenth division of the militia, one quarter's salary, due the first instant No. 876	52 50
		Paid Alexander Ogle, for the use of Dennis McKnight, six months annuity, due the first instant, per act of the 26th of January, 1807 No. 877	20
		Paid ditto for the use of Christian Shockey, six months annuity, due the first instant, per act of the 24th of March, 1808 No. 878	20
		26, Paid Abraham Doebler, brigade inspector of the first brigade of the sixth division of the militia, one quarter's salary, due the first instant No. 879	52 50
Carried forward	132,871 81	Carried forward	14,269 34

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of July, 1809, inclusive.*

	Dolls. Cts.	1809.		Dolls. Cts.
Brought forward	132,871 81		Brought forward	14,269 34
			July 26, Paid Abraham Doeblcr, brigade inspector of the first brigade of the sixth division of the militia, salary for an additional regiment added to his brigade, from October third, 1808, to the first of January last	No. 880 7 25
			Paid John Hudders, for carrying laws to several of the counties, per agreement with the secretary of the commonwealth	No. 881 144
			Paid Philip Phile, for ditto, as per ditto	No. 882 108
			27, Paid Robert M'Elwee, for stage hire and expenses in going to Philadelphia, in the case of Olmstead, by order of the governor	No. 883 20
			Paid Jesse Moore, president of the sixth district of the court of common pleas, one quarter's salary, due the first instant	No. 884 400
			28, Paid Henry Hawkins, late master-warden of the port of Philadelphia, wages and disbursements due to him	No. 885 60 5
Carried forward	132,871 81		Carried forward	15,008 64



Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of July, 1809, inclusive.

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	132,871	81	15,008 64
July 28, Paid John Young, brigade inspector of the eleventh division of the militia, one quarter's salary, due the first instant			No. 886 52 50
29, Paid Joseph Henry, for the storage of public arms from the 24th December, 1805, to the 24th July, 1808			No. 887 38 75
Paid Frederick Kuhn, an associate judge of Lancaster county, one quarter's salary, due the first instant			No. 888 35
31, Paid Catharine Toey, six months pension, due the first instant, per act of the third of February, 1806			No. 889 20
Paid William Tilghman, chief-justice of the supreme court, for expenses in attending circuit courts, and the supreme court at Sunbury			No. 890 200
Balance			117,516 92

\$ 132,871 81

\$ 132,871 81

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of August, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Aug. 1, Balance from last month	117,516 92	Aug. 1, Paid George Bryan, auditor-general, for disbursements in his office, from the third of May, to the 31st of July last	No. 891 91 26
3, Received of Samuel Cochran, late surveyor-general, on account of office fees	173 33	Paid John Parker, an associate judge of Butler county, one quarter's salary, due the first of January last	No. 892 35
Received of Enos Morris, late treasurer of Bucks county, on account of exempt fines	70	2, Paid Adam Koch, six months pension, due the first of July last, per act of the 21st of March, 1806	No. 893 20
10, Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	96 32	Paid Alexander M'Clellan, for the use of John M'Dowell, six months pension, due the first of July, 1809, per act of the 22d of March last	No. 894 20
22, Received of John Stroman, treasurer of York county, on account of tavern licences	292 60	Paid James M'Dowell, an associate judge of Franklin county, one quarter's salary, due the first of July last	No. 895 35
		Paid Robert Beatty, brigade inspector of the second brigade of the fifteenth division of the militia, for twelve drums furnished by him for the use of his brigade	No. 896 100
Carried forward	118,149 17	Carried forward	301 26

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of August, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	118,149 17	Brought forward	301 26
Aug. 31, Received for lands and land-office fees from the first instant, to this day, inclusive, viz.		Aug. 3, Paid Francis Murray, an associate judge of Bucks county, one quarter's salary, due the first of April last	No. 897 35
For lands \$ 220,607 22		Paid Matthias Hutchinson, an associate judge of Bucks county, one quarter's salary, due the first of April last	No. 898 35
For land-office fees	18,224 17	Paid John Carson, an associate judge of Dauphin county, one quarter's salary, due the first of July last	No. 899 35
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	70 1	Paid Hiram McNeill, for the use of Thomas Snowden, six months annuity, due the first of July last, per act of the 21st of March, 1808, and fourth of February, 1809	No. 900 20
		Paid Samuel Cochran, late surveyor-general, one quarter's rent of the rooms used for the surveyor-general's office, and for the board of property	No. 901 43 33
		4, Paid John Mac Greger, late auctioneer in the city of Philadelphia, so much overpaid by him on account of auction duties	No. 902 13 25
Carried forward	357,050 57	Carried forward	482 84

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty first of August, 1809, inclusive.*

	Dolls. Cts.		Dolls. Cts.
Brought forward	357,050, 57	Brought forward	482 84
Aug. 5, Paid George Ross, an associate judge of Armstrong county, one quarter's salary, due the first of July, 1809		No. 903	66
Paid James Lamberton, brigade inspector of the first brigade of the seventh division of the militia, one quarter's salary, due the first of July last		No. 904	45
Paid Jesse Fell, an associate judge of Luzerne county, one quarter's salary, due the first of July last		No. 905	35
Paid Matthias Hollenbach, an associate judge of Luzerne county, one quarter's salary, due the first of July last		No. 906	35
7, Paid George Worrall, as a clerk to the secretary of the Land-office, for services from the 31st of March to the 13th of April, 1809, inclusive		No. 907	36 85
Paid George Roberts, an associate judge of Cambria county, one quarter's salary, due the first of July, last		No. 908	35
Carried forward	357,050 57	Carried forward	704 69

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first 10 } Cr.  
the thirty first of August, 1809, inclusive.*

		Dolla. Cts.		Dolla. Cts.
Brought forward		357,050 57	Brought forward	704 69
1809.				
Aug. 7, Paid Alexander Wright, an associate judge of Mer-				
cer county, one quarter's salary, due the first of July				
last			No. 909	35
Paid Jane Wallace, for one year's pension and rations				
to the first instant, per decree of the orphan's court				
of Chester county			No. 910	47 70
Paid Samuel Stewart, brigade inspector of the first				
brigade of the tenth division of the militia, salary				
due to him to the first of July last			Nos. 911, 912	42 33
Paid ditto for			letters, and for blank	
forms, for an additional regiment added to his bri-				
gade on the fourth of February last			Nos. 913, 914	12 3
Paid James Steele, brigade inspector of the first bri-				
gade of the third division of the militia, four quar-				
ter's salary, ending the 30th of June last			Nos. 915, 916	120
8, Paid ditto for blank forms for the use of said bri-				
gade for the year 1809			No. 917	40
Paid Samuel McNeill, per act of the 29th of March			No. 918	40
last				
Carried forward		357,050 57	Carried forward	1,041 74

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirty first of August, 1809, inclusive.*

	Dolls. Cts.	1809.	Dolls. Cts.
Brought forward	357,050 57		
Aug. 9, Paid David Beale, an associate judge of Mifflin county, one quarter's salary, due the first of July last			55
14, Paid Frederick Fultz, six months pension, due the 12th instant, per act of the 25th of March, 1805			20
15, Paid Alexander Patterson, six months annuity, due the 10th instant, per act of the 10th of February, 1804			50
16, Paid Richard Brodhead, an associate judge of Wayne county, one quarter's salary, due the first of July last			35
18, Paid Jared Ingersol, for fees as counsel assisting the attorney-general, in the case of the United States against general Michael Bright and others			37 50
			500
Carried forward	357,050 57		
			1,719 24

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first 10 } Cr*  
*the thirty first of August, 1809, inclusive.*

	1809.	Dolls. Cts.		Dolls. Cts.
Brought forward		357,050 57	Brought forward	1,719 2
Aug. 19, Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, two quarters salary, ending the 30th of June last				90
22, Paid Thomas Wilson, for the use of Michael Drury, six months annuity, due on the first of July last, per act of the 28th of March last				20
24, Paid John Scott, an associate judge of Bedford coun- ty, one quarter's salary, due the first of July last				35
26, Paid Daniel Sharp, brigade inspector of the first bri- gade of the first division of the militia, one quarter's salary, due the first of July last				45
28, Paid Peter Keplinger, six months pension, due the first of July last, per act of the 19th of March, 1804				25
Paid John Stewart, for the use of Robert Varner, six months annuity, due the first of July last, per act of the fourth of April, 1809				20
Carried forward		357,050 57	Carried forward	1,954 2





Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of September, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Sept. 1, Balance from last month	354,782 45	Sept. 2, Paid Elizabeth Baxter, three months pension, due the first instant, per decree of the orphans' court of Bucks county	No. 937 112
13, Received of John Potts, as treasurer of Butler county, on account of tavern licences	35 26	4, Paid John Negley, brigade inspector of the second brigade of the sixteenth division of the militia, three quarter's salary, ending the 30th of June last	Nos. 938, 939 112
Received of Andrew Porter, surveyor-general, on account of office fees	400 40	Paid ditto for blank forms for the use of his brigade for the year 1809. Five regiments	No. 940 50
14, Received of Zebulon Butler, late treasurer of Luzerne county, on account of tavern licences	32 25	7, Paid Nicholas Saeger, brigade inspector of the first brigade of the eighth division of the militia, four quarter's salary, ending the 30th of June, 1809	Nos. 941, 942 150
Received of James Doncan, prothonotary of Adams county, on account of marriage licences	15	Paid ditto for blank forms for the use of his brigade for the year 1809, and sundry disbursements	Nos. 943, 944 58
30, Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	57 79	Paid John McDowell, an associate judge of Allegheny county, one quarter's salary, due the first of July, last	No. 945 35
Carried forward	355,323 15	Carried forward	518

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to the* } Cr.  
*the month of September, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Sept. 30, Brought forward	353,523 15	Sept. 9, Brought forward	518 6
Received for lands and land-office fees from the first instant, to this day, inclusive, viz.		brigade of the fourteenth division of the militia, one quarter's salary, due the first of July last No. 946	30
For lands \$ 2,748 79		Paid Benjamin Clark, one year's pension, due the first of July last, per act of the 19th of March, 1805 No. 947	40
For land-office fees 543 3		14, Paid the late proprietaries of Pennsylvania for a certificate, with interest thereon, issued in their favor, and redeemed under the acts of the fourth of April 1799, and 15th of March, 1800 No. 948	583 9
Received a payment on a bond given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	75 84	20, Paid Henry Frailey, junior, for drums, fifes, and carriage of the same, furnished for the use of the second brigade first division, and first brigade of the sixth division of the militia No. 949	127 6
		Paid William Berrett, for one stand of colours furnished by him for the use of the 133d regiment of militia No. 950	124 5
		Paid John Fee, brigade inspector of the second brigade of the eleventh division of the militia, one quarter's salary, due the first of July last No. 951	37 5
Carried forward	358,690 81	Carried forward	1,462

Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to* }  
*the thirtieth of September, 1809, inclusive.*

	Dolla. Cts.	1809.		Dolla.
Brought forward	558,690 81		Brought forward	1,462
			Sept. 20, Paid the commissioners of the county of Butler, per act of the 10th of April, 1807, for repairing that part of the road from the town of Pittsburgh to the town of Butler, which lies within Butler county	No. 952 123
			23, Paid Jacob Bower, for conveying a convict from the jail of Fayette county to the penitentiary house in Philadelphia	No. 953 122
			26, Paid the administrator to the estate of Jane Rosebrough, deceased, three months and nine days pension, due at the time of her decease	No. 954 234
			Paid Gorge Bryan, auditor-general, for the contingent expenses of his office	No. 955 110
			Paid William Dickson for stationary furnished, and printing done, for the office of the secretary of the land-office	No. 956 367
			29, Paid Jonathan Coulter, sheriff of Beaver county, for conveying a convict from the jail of Beaver county to the penitentiary house in Philadelphia	No. 957 221
Carried forward	558,690 81		Carried forward	3,642

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtieth of September, 1809, inclusive.

	Dolls.	Cts.		Dolls.	Cts.
Brought forward	358,690	81		2,642	48
Sept. 30, Paid John Boyle, the sum granted to him, per act of the 28th of March last					40
Paid Samuel Cochran, brigade inspector of the first brigade of the fifteenth division of the militia, for blank forms for the use of his brigade, for the year 1809. Six regiments					60
Paid John Smur, for drums furnished by him for the use of the first brigade of the fifteenth division of the militia					74 64
Paid the late proprietaries of Pennsylvania for a certificate, with interest thereon, issued in their favor, and redeemed under the acts of the fourth of April, 1799, and 15th of March, 1800					7,725 80
Paid John Canan, David Stewart, and Andrew Henderson, for a certificate of unfunded debt, issued in their favor					40

Balance

348,107 92

\$ 358,690 81

\$ 358,690 81

[ 130 ]



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.*  
*the thirty first of October, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Oct. 9, Brought forward	352,625 40	Oct. 2, Paid Bird Wilson, president of the seventh district of the court of common pleas, one quarter's salary, to the first instant	1,475
Received of Peter Kuhn, auctioneer, on account of auction duties	281 35	Paid James Hamilton, president of the ninth district, one quarter's salary, to the first instant	400
10, Received of John Potts, as treasurer of Butler county, on account of tavern licences	27 50	Paid George Wallace, an associate judge of Allegheny county, one quarter's salary, due the first instant	400
12, Received of Ebenezer Den-ny, late treasurer of Allegheny county, on account of exempt fines	5	Paid John Jones, an associate judge of Montgomery county, one quarter's salary, to the first instant	35
Received of John Humes, auctioneer, on account of auction duties	1,830 57	Paid John Cooper, an associate judge of Northampton county, two quarters salary, ending the 30th ultimo	35
13, Received of Alexander McCaraher, auctioneer, on account of auction duties	37 60	Paid Rees Hill, brigade inspector of the second brigade of the fourteenth division of the militia, three quarters salary, ending the 30th ultimo	70
		Paid ditto for disbursements made by him for the use of his brigade	90
			Nos. 975, 976
			No. 977
			19 55
Carried forward	354,807 43	Carried forward	2,524 38

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of October, 1809, inclusive.*

1809.	Dolls. Cts.	1809,	Dolls. Cts.
	Brought forward 354,807 42		Brought forward
Oct. 13, Received of George Graeff, treasurer of Lancaster county, on account of tavern licences 800		Oct. 2, Paid William Findlay, treasurer of the commonwealth, one quarter's salary, to the first instant No. 978 33	
16, Received of Silas E. Weir, auctioneer, on account of auction duties 3,436 85		Paid Alexander Wilson, clerk in the state-treasurer's office, one quarter's salary, to the first instant No. 979 266 66	
17, Received of Isaac Dimmick, treasurer of Wayne county, on account of tavern licences 50		Paid James M'Cullough, clerk in the surveyor-general's office, one quarter's salary, to the first instant No. 980 225	
18, Received of Frederick Montmollin, auctioneer, on account of auction duties 7,576 21		3, Paid John Macpherson, an associate judge of Northumberland county, two quarters salary, ending the 30th ultimo No. 981 70	
19, Received of David Taggart, treasurer of Northumberland county, on account of tavern licences 1,000		Paid Edward V. James, clerk in the surveyor-general's office, one quarter's salary, due the first instant No. 982 137 50	
		Paid William Michael, clerk in the auditor-general's office, one quarter's salary, to the first instant No. 983 225	
		Paid Catharine Alexander, one quarter's pension, due the first instant No. 984 19 20	
		Paid George Bryan, auditor-general, one quarter's salary, to the first instant No. 985 333 33	
	Carried forward 367,670 48		Carried forward 4,134 57

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to* } Cr.  
*the thirty-first of October, 1809, inclusive.*

1809.		Dolls. Cts.	1809.		Dolls. Cts.
Brought forward		367,670 48	Brought forward		4,134 57
Oct. 19,	Received of Ezra Doty, late treasurer of Mifflin county, on account of tavern licences	150	Oct. 3,	Paid Henry Antes, clerk in the surveyor-general's office, one quarter's salary, to the first instant	No. 986
21,	Received of James Trimble, deputy-secretary of the commonwealth, on account of fees received in the secretary's office	27 13		Paid John Oliver, an associate judge of Mifflin county, two quarters salary, ending the 30th ultimo	No. 987
25,	Received of Robert Allison, late treasurer of Huntingdon county, on account of the loan-office of 1793	209 50	4,	Paid John Cochran, secretary of the land-office, one quarter's salary, to the first instant	No. 988
				Paid Andrew Porter, surveyor-general, one quarter's salary, to the first instant	No. 989
				Paid William Duncan, brigade inspector of the second brigade of the first division of the militia, one quarter's salary, to the first instant	No. 990
				Paid David Stewart, an associate judge of Huntingdon county, two quarters salary, ending the 30th ultimo	No. 991
				Paid Ruth Johnston, one quarter's pension, due the first instant	No. 992
Carried forward		368,057 11	Carried forward		187 50
					70
					333 33
					333 33
					45
					70
					40
					5,163 72



Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr*  
*the thirty-first of October, 1809, inclusive.*

1809.	Dolla. Cts.	1809.	Dolla. Cts.
Oct. 31, Brought forward	368,057 11	Oct. 4, Brought forward	
Received for lands and land-office fees from the first instant, to this day, inclusive, viz.		Paid John R. Mathews, for publishing in the Constitutional Democrat, the general orders of the late governor (in July 1807)	No. 993 32
For lands	\$ 3,121 11	Paid Thomas Whiteside, clerk in the surveyor-general's office, one quarter's salary, to the first instant	No. 994 150
For land-office fees	570 23	Paid Jacob Hostetter, an associate judge of York county, two quarters salary, ending the 30th ultimo	No. 995 70
Received in payments on the bonds given to the commissioners appointed to collect the debt due by the estate of the late John Nicholson, deceased, to the commonwealth	3,691 34	Paid John Spayd, late president of the third district of the court of common pleas, one quarter's salary, ending the 30th of June last	No. 996 400
		Paid Eve Withington, two quarters pension, ending the	No. 997 120
		Paid James Trimble, junior, adjutant-general, one quarter's salary, to the first instant	No. 998 150
		Paid James Trimble, deputy-secretary of the commonwealth one quarter's salary, to the first instant	No. 999 300
Carried forward	372,581 34	Carried forward	6,385 7

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr. {*  
*the thirty first of October, 1809, inclusive.*

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	372,581 34		
Oct. 5, Paid William Scott, an associate judge of Adams county, one quarter's salary, ending the 30th ultimo No. 1000		Brought forward	6,585 73
6, Paid Hugh H. Brackenridge, one of the associate judges of the supreme court, one quarter's salary, ending the 30th ultimo No. 1001			35
Paid ditto for circuit expenses from the 31st of May to the 17th July, 1809, inclusive No. 1002			500
Paid John Ashmead, master-warden of the port of Philadelphia, for disbursements made in his office, from the first of July to the first instant No. 1003			192
Paid James Patterson, brigade inspector of the second brigade of the fourth division of the militia, one to the first instant No. 1004			321 78
do, brigade inspector of the first brigade of the third division of the militia, one quarter's salary, to the first instant No. 1005			30
Paid ditto for two bugle horns for the use of his brigade No. 1006			30
			22 5
		Carried forward	7,517
	Carried forward 372,581 34		

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } C*  
*the thirty first of October, 1809, inclusive.*

		Dolla. Cts.	1809.		Dolla.
Brought forward		372,581 34		Brought forward	7,517
				Oct. 6, Paid John Young, president of the tenth district of the court of common pleas, one quarter's salary, to the first instant	400
				No. 1007	
				Paid the commissioners of Northampton county, so much paid by them for conveying convicts from the jail of that county to the penitentiary house in Philadelphia	509
				No. 1008	
				7, Paid Jane Leach, one year's pension, due the 16th of March last, per decree of the orphans' court of Westmoreland county	5
				No. 1009	
				Paid Thomas M-Kee, an associate judge of Venango county, one quarter's salary, due the first of July last	3
				No. 1010	
				Paid John Irwin, an associate judge of Westmoreland county, two quarters salary, ending the 30th ultimo	7
				No. 1011	
				Paid Hugh Martin, for the use of Jeremiah Lochrey, six months annuity, due the first instant, per act of the fourth of March, 1807	8,5
				No. 1012	
Carried forward		372,581 34		Carried forward	



Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty first of October, 1809, inclusive.*

	1809.	Dolla. Cts.		Dolla. Cts.
Brought forward	372,581	34	Brought forward	8,934 64
Oct. 9, Paid Ephraim Morton, clerk to the secretary of the land-office, one quarter's salary, to the first instant			No. 1020	183 50
Paid Samuel Cunningham, clerk to the secretary of the land-office, one quarter's salary, to the first instant			No. 1021	112 50
Paid George B. Porter, clerk to the secretary of the land-office, two months and eighteen days salary, to the first instant			No. 1022	97 50
Paid Nathaniel Breading, an associate judge of Fayette county, two quarters salary, ending the 30th ultimo			No. 1023	70
11, Paid Richard M. Crain, clerk to the secretary of the land-office, one quarter's salary, due the first instant			No. 1024	225
Paid do ditto, one quarter's salary, due			No. 1025	150
Paid inspector of the first brigade of the fourth division of the militia, one quarter's salary, due the first instant			No. 1026	30
Carried forward	372,581	34	Carried forward	9,803 34

Dr. { Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to } Cr.  
the thirty first of October, 1809, inclusive.

1809.		Dolls. Cts.
Brought forward		372,581 34
Oct. 11,	Paid William Henry, an associate judge of Northampton county, one quarter's salary, due the first instant	33
	Paid Samuel Harris, an associate judge of Lycoming county, one quarter's salary, due the first instant	35
	Paid John Davis, an associate judge of Chester county, two quarters salary, ending the 30th of September last	70
	Paid Thomas Cooper, president of the eighth district of the court of common pleas, one quarter's salary, due the first instant	400
	Paid Robert Porter, president of the third district of the court of common pleas, his salary from the sixth of July last, to the first instant	377 78
	Paid William Berrett, for colours furnished by him for the use of the second brigade of the first division of the militia	223
Carried forward		10,945 13

Da. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty-first of October, 1809, inclusive.

	Dolla. Cts.	1809.		Dolla. Cts.
Brought forward	372,581	24	Brought forward	10,943 12
			Oct. 12, Paid James Trimble, deputy-secretary of the commonwealth, for monies expended by him for the contingent expenses of the executive department from the first of July to the first instant No. 1033	\$03 18
			Paid Nathaniel H. Boileau, secretary of the commonwealth, one quarter's salary, due the first instant No. 1034	\$00
			13, Paid Jonathan Walker, president of the fourth district of the court of common pleas, one quarter's salary, due the first instant No. 1035	400
			14, Paid Thomas Forgry, for the use of George Blakely, six months annuity ending the fourth instant, per act of th No. 1036	20
			16, Paid and company of the Philadelphia bank, for three hundred and fifty-eight shares of stock in said bank, subscribed in pursuance of the acts of assembly of the fourth of April, 1805, and first of March, 1806, for the use of the commonwealth No. 1037	35,860
Carried forward	372,581	24	Carried forward	48,166 30

1. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirty-first of October, 1809, inclusive.*

	Dolla. Cts.	1809.		Dolla. Cts.
Brought forward	372,581	34	Brought forward	48,166 30
			Oct. 16, Paid Anne McNeale, one quarter's pension, due the first instant	No. 1038 46
			17, Paid Jacquet and Hicks, for drums and fifes furnished for the use of the first, second, third and tenth divisions of the militia, and repairing old drums for the first and second divisions, per the certificates of the several brigade inspectors	No. 1039 688 14
			Paid Jacob Painter, an associate judge of Westmoreland county, three quarters salary, ending the 30th ultimo	Nos. 1040, 1041 105
			Paid William Tilghman, chief-justice of the supreme court, one quarter's salary, due the first instant	No. 1042 666 66
			18, Paid James Findlay, an associate judge of Fayette county, two quarters salary, ending the 30th ultimo	No. 1043 79
			Paid Uriah Springer, brigade inspector of the second brigade of the thirteenth division of the militia, two quarters salary, ending the 31st of March last	No. 1044 60
Carried forward	372,581	34	Carried forward	48,801 10



Dr. { *Receipts and Expenditures in the Treasury of PENNSYLVANIA, from the first to the thirty-first of October, 1809, inclusive.* }

		1809.	
		<i>Dolls. Cts.</i>	<i>Dolls.</i>
Brought forward		372,581 34	49,801
	Brought forward		
Oct. 18, Paid Uriah Springer, brigade inspector of the second brigade of the thirteenth division of the militia, for furnishing blank forms for the use of his brigade for the year 1809. Four regiments	No. 1045		40
Paid Richard Brodhead, an associate judge of Wayne county, one quarter's salary, due the first instant	No. 1046		3
Paid ditto as brigade inspector of the second brigade of the eighth division of the militia, one quarter's salary, due the first instant	No. 1047		37
Paid James Agnew, brigade inspector of the second brigade of the twelfth division of the militia, so much paid by him for fives for the use of his brigade, and postage on public letters	No. 1048		1
Paid James Allison, an associate judge of Washington county, two quarters salary, ending the 30th ultimo	No. 1049		7
Paid Jonathan Heister, as a clerk in the auditor-general's office, two months and nineteen days salary, to the 19th ultimo, inclusive	No. 1050		8
Carried forward	Carried forward	372,581 34	50,08

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of October, 1809, inclusive.

1809.		Dolls. Cts.		Dolls. Cts.
Brought forward	372,581	34	Brought forward	50,087 27
Oct. 18.	Paid William M-Clellan, inspector of the second brigade of the fifth division of the militia, two quarters salary, ending the 30th ultimo No. 1051			60
	Paid ditto for drums and files procured by him for the use of his brigade No. 1052			114
	Paid John Annis, the balance of an account for carrying the laws and journals of the last session of the legislature, &c. to several of the counties No. 1053			188
19,	Paid Benjamin Elliott, an associate judge of Hunting-ton county, two quarter's salary, ending the 30th ultimo No. 1054			70
	Paid Henry Pickel, for two years storage of public arms, due the first of April, 1809 No. 1055			36
	Paid Abraham Doeblen, brigade inspector of the first brigade of the sixth division of the militia, one quarter's salary, due the first instant No. 1056			52 50
	Paid ditto for so much paid by him for two files for the use of his brigade, and postage on public letters No. 1057			3 82
Carried forward	272,581	34	Carried forward	50,611 39

144

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of October, 1809, inclusive.*

Brought forward      *Dolls. Cts.*  
572,581 34

*Dolls. Cts.*  
50,611 59

Brought forward

Oct. 19, Paid David Drennan, an associate judge of Beaver county, three quarters salary, ending the 30th ultimo      Nos. 1058, 1059      105

Paid Joseph Caldwell, an associate judge of Beaver county, four quarters salary, ending the 30th ultimo      Nos. 1060, 1061      140

21, Paid John Agnew, an associate judge of Adams county, two quarters salary, ending the 30th ultimo      No. 1062      70

23, Paid John Geyer, an associate judge of Philadelphia county, one quarter's salary, due the first instant      No. 1063      50

24, Paid Simon Snyder, governor of the commonwealth, one quarter's salary, due the first instant      No. 1064      1,333 93

Paid John Dickey, an associate judge of Bedford county, three quarters salary, ending the 30th ultimo      Nos. 1065, 1066      105

Paid William G. Elder, an associate judge of Somerset county, two quarters salary, ending the 30th ultimo      No. 1067      70

Carried forward      372,581 34

Carried forward

52,484 92

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirty first of October, 1809, inclusive.

	Dolla. Cts.	1809.	Dolla. Cts.
Brought forward	372,581 34		52,84 92
Oct. 24, Paid George Graham, brigade inspector of the first brigade of the twelfth division of the militia, three quarter's salary, ending the 30th ultimo			
		Nos. 1068, 1069	50
Paid ditto for seven drums procured by him for the use of his brigade and postage on public letters		No. 1070	78 58
25, Paid James G. Heron, an associate judge of Venango county, one quarter's salary, due the first instant		No. 1071	35
Paid William Clarke, an associate judge of Crawford county, one quarter's salary, due the first instant		No. 1072	35
Paid ditto as brigade inspector of the first brigade of the sixteenth division of the militia, one quarters salary, due the first instant		No. 1073	52 50
Paid David Meade, an associate judge of Crawford county, four quarter's salary, ending the 30th ultimo		Nos. 1074, 1075	140
Carried forward	372,581 34		58,916

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty first of October, 1809, inclusive.*

		1809.	Dolls. Cts.		Dolls. Cts.
Brought forward			372,581 34	Brought forward	52,916
Oct. 25,	Paid Jesse Moore, president of the sixth district of the court of common pleas, one quarter's salary, due the first instant				
				No. 1076	400
	Paid John Fee, brigade inspector of the second brigade of the eleventh division of the militia, so much paid by him for repairing drums for the use of his brigade and postage on public letters			No. 1077	6 79
	Paid Andrew Graff, an associate judge of Lancaster county, one quarter's salary, due the first instant			No. 1078	35
26,	Paid Joseph Edmiston, an associate judge of Mifflin county, one quarter's salary, due the first instant			No. 1079	35
	Paid Alexander Brown, an associate judge of Mercer county, one quarter's salary, due the first instant			Nb. 1080	35
27,	Paid Jasper Yeates, an associate judge of the supreme court, one quarter's salary, due the first instant			No. 1081	500
Carried forward			372,581 34	Carried forward	53,927 79

Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty first of October, 1809, inclusive.

		Dolls. Cts.	1809.			Dolls. Cts.
Brought forward		372,581	34	Brought forward		53,927 79
Oct. 27, Paid Jasper Yeates, an associate judge of the supreme court for travelling expenses in attending the supreme court at Pittsburg, in September, 1809, and the circuit courts in several of the western counties				No. 1082		260
Paid William Tilghman, chief-justice of the supreme court, for his travelling expenses in attending the supreme court at Pittsburg, in September last, and the western circuit				No. 1083		240
Paid Timothy Matlack, late clerk of the senate, a balance due to him settled agreeably to an act passed the fourth of April, 1809				No. 1084		43 33
28, Paid William Wilson, an associate judge of Northumberland county, two quarters salary, ending the 30th ultimo				No. 1085		79
Paid Walter Franklin, attorney-general of the commonwealth, his salary from the ninth January last till the first instant				No. 1086		485 17
Carried forward		372,581	34	Carried forward		55,026 29

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first 10 } Cr.  
the thirty-first of October, 1809, inclusive.*

1809.		Dolls. Cts.		Dolls. Cts.
Brought forward		\$72,581 34		55,026 29
Oct. 30,	Paid Alexander Wright, an associate judge of Mercer county, one quarter's salary, due the first instant		No. 1087	35
	Paid the president, directors and company, of the bank of Pennsylvania, so much paid by said bank for two hundred and thirty-three shares of stock in the Philadelphia bank, and two hundred and eight shares of stock in the Farmers and Mechanics bank, purchased for the use of the commonwealth, in pursuance of an act passed the fourth of March, 1807		No. 1088	46,744 15
	Paid Gustavus Stoy, six months rent of a room in the borough of Lancaster, for a store for public arms, to the first instant		No. 1089	15
	Paid George Ross, an associate judge of Armstrong county, one quarter's salary, due the first instant		No. 1090	35
			Balance	270,725 90
		\$ 372,581 34		<u>\$ 372,581 34</u>

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.*  
*the thirteenth of November, 1809, inclusive.*

1809.	Dolls. Cts.	1809.	Dolls. Cts.
Nov. 1, Balance from last month	270,725 90	Nov. 1, Paid Frederick Kuhn, an associate judge of Lancaster county, one quarter's salary, due the first of October last	No. 1091 35
3, Received of William Barber, prothonotary of York county, on account of marriage licences	12	2, Paid Andrew Norney, inspector of the first brigade of the second division of the militia, four quarters salary, ending the 30th of September last	120
7, Received of Andrew Porter, surveyor-general, on account of office fees	201 69	Paid ditto for blank forms for the use of his brigade for the year 1809, and one drum	Nos. 1092, 1093 48
10, Received of John Cochran, secretary of the land-office, on account of office fees	74 91	Paid Uriah Springer, brigade inspector of the second brigade of the thirteenth division of the militia, for sixteen drums procured by him for the use of his brigade	No. 1096 128
23, Received of Nathaniel B. Boileau, secretary of the commonwealth, a balance that remained in his hands of a warrant drawn for purchase of stock, in favor of the president and directors and company of the bank of Pennsylvania	34 44	Paid Daniel Sharp, brigade inspector of the first brigade of the first division of the militia, one quarter's salary, due the first of October last	No. 1097 45
		Paid Matthias Hollenbach, an associate judge of Luzerne county, one quarter's salary, due the first of October last	No. 1098 35
Carried forward	271,048 94		
		Carried forward	411



*Expenditures in the TREASURY of PENNSYLVANIA, from the first to } CR.*  
*the month of November, 1809, inclusive.*

Dolla. Cts.  
 271,048 94

17 41

Nov. 3, Paid John Craigh, an associate judge of Cum-  
 county, one quarter's salary, due the fir-  
 ber last  
 Paid David Gray, an associate  
 ty, four quarter's salary, due the fir-  
 ber last  
 4, Paid George  
 gen.





Dr. { Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first to } Cr.  
the thirtyeth of November, 1869, inclusive.

	Dolls. Cts.	Dolls. Cts.	
Brought forward	297,048 23	Brought forward	14,998 13
		Balance	382,050 10

Note.	In the bank of Pennsylvania	\$ 40,398 47.
	In the Philadelphia bank	57,984 23
	In the office of discount and deposit at Lancaster	197,526 55
	In the Farmers and Mechanics bank	1,687 50
	Cash in the chest	4,453 56
		<hr/> 282,050 10

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\$ 297,048 23

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\$ 297,048 23



# IV.

*Monies received for Lands and Land-office Fees, from the 11th of May last, to the 30th of November, 1809, inclusive, included in the amount of Monies received in the Treasury in that period; entered at the end of each month.*

1809.

May, Received in sixty-nine payments -  
 June, Received in one hundred and thirty-six payments  
 July, Received in one hundred and eighty-nine payments  
 August, Received in two thousand and seventy-eight payments  
 September, Received in sixty payments -  
 October, Received in eighty-three payments -  
 November, Received in one hundred and eight payments  
 Received in August but then omitted in entering

<i>Purchase Money and Interest.</i>	<i>Fees.</i>
<i>Dolls, Cts.</i>	<i>Dolls. Cts.</i>
4,122 47	613 50
11,584 13	1,312
17,716 38	1,885 35
220,607 22	18,224 17
2,749 79	513 3
3,121 11	570 23
3,934 66	763 67
871 16	20 50
<u>\$ 264,705 92</u>	<u>\$ 23,932 45</u>

No. V.

# RECAPITULATION.

Dr. { *Receipts and Expenditures in the TREASURY of PENNSYLVANIA, from the first of } Cr.*  
*December, 1808, to the thirtieth of November, 1809, inclusive.*

		<i>Dolla. Cts.</i>				<i>Dolla. Cts.</i>	
1808.	December 1, Balance from last year's Report,			1808.			
	November 30th	46,239	56	December, 1809.			12,255 37
	Received this month	12,346	17	January,	Paid this month	-	-
1809.	Received this month	59,886	30	February,	Paid this month	-	27,240 87
January,	Received this month	34,239	79	March,	Paid this month	-	7,630 72
February,	Received this month	10,920	44	April,	Paid this month	-	5,850 5
March,	Received this month	27,359	10	May,	Paid this month	-	100,375 1
April,	Received this month	17,112	63	June,	Paid this month	-	8,173 24
May,	Received this month	17,523	80	July,	Paid this month	-	5,555 22
June,	Received this month	73,594	50	August,	Paid this month	-	15,354 89
July,	Received this month	219,533	65	September,	Paid this month	-	2,268 12
August,	Received this month	3,908	36	October,	Paid this month	-	10,582 89
September,	Received this month	24,473	42	November,	Paid this month	-	101,855 44
October,	Received this month	26,322	33		Balance	-	14,998 13
November,	Received this month						282,050 10
		<u>\$ 594,190 5</u>				<u>\$ 594,190 5</u>	









